

THE
LEGISLATIVE ASSEMBLY DEBATES
(OFFICIAL REPORT OF THE SEVENTEENTH SESSION OF THE FIFTH
LEGISLATIVE ASSEMBLY)

VOLUME I—1943

LEGISLATIVE ASSEMBLY

Wednesday, 10th February, 1943.

The Assembly met in the Assembly Chamber of the Council House in New Delhi, at Eleven of the Clock, being the First Day of the Seventeenth Session of the Fifth Legislative Assembly, pursuant to Section 63-D (2) of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935. Mr. President (The Honourable Sir Abdur Rahim, K.C.S.I.), was in the Chair.

MEMBERS SWORN.

- Mr. T. T. Krishnamachari, M.L.A. (Tanjore *cum* Trichinopoly: Non-Muhammadian Rural);
Mr. Basil Leslie Gray, M.L.A. (United Provinces: European);
Mr. Olaf Kirkpatrick Caroe, C.S.I., C.I.E., M.L.A. (Secretary, External Affairs Department);
Mr. Leonard John Dean Wakely, M.B.E., M.L.A. (Government of India: Nominated Official); and
Dr. Thomas George Percival Spear, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

EXTENSIONS OF SERVICE TO RAILWAY OFFICERS.

1. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Railway Member be pleased to state the policy about the extension of service after an officer has attained the age of 55?

(b) How many such extensions have the Railway Board sanctioned from 1st April, 1942?

(c) Have the Government also considered the financial losses and the dissatisfaction created among the subordinate staff who are affected by such extensions?

(d) Have Government been satisfied in each case that no person was available on any other Government line to fill up the place of the officer to whom the extension was granted?

The Honourable Sir Edward Benthall: (a) The policy at present is that officers who attain the age of superannuation should to meet the requirements of the present emergency be granted extensions if they are willing to accept them and are physically fit.

(b) Since 1st April, 1942, extensions have been granted to 72 officers.

(c) Government have taken into consideration all aspects before deciding on their present policy.

(d) Yes.

Mr. Lalchand Navalrai: May I know from the Honourable Member if the officers who are below these superannuated persons, who are being given extensions, are incapable of being promoted?

The Honourable Sir Edward Benthall: That is not the case.

Mr. Lalchand Navalrai: What is the reason for retaining these superannuated people who have exhausted all their energy, and not promoting men with energy who are below them?

The Honourable Sir Edward Benthall: The reason is the interests of the service. It is necessary to retain these men during the present war emergency. As the Honourable Member is aware a large number of officers have joined the services in various capacities and it is necessary to retain others who would otherwise have retired.

Mr. Lalchand Navalrai: I am asking what is the reason that these people are being retained and work is taken from younger men?

The Honourable Sir Edward Benthall: I have already given the Honourable Member the reason.

Mr. Lalchand Navalrai: The Honourable Member should explain whether it is on account of war that they are being retained, or they have any particular qualifications, or is it because they are favoured people?

The Honourable Sir Edward Benthall: It is on account of the war.

Sir Muhammad Yamin Khan: May I ask whether any representations have been made by the people, who would have been promoted and have not been promoted on account of this action, as regards their salaries, promotions, etc.?

The Honourable Sir Edward Benthall: Yes, representations have naturally been made by officers who have been disappointed.

Dr. Sir Zia Uddin Ahmad: Will the Government consider the desirability of creating a special cadre for those who have attained the age of 55 and whom in the interest of administration the Government desire to keep, so that other persons who are below may not suffer, because in that case if one man is retained on a regular cadre then the interest of a large number of persons suffers and a great dissatisfaction is spread among the staff?

The Honourable Sir Edward Benthall: The answer is in the negative.

Dr. Sir Zia Uddin Ahmad: I have said: "Will the Government consider".

The Honourable Sir Edward Benthall: Government do not admit the principle that extension of service of some officers gives the right to compensation to others.

Mr. Lalchand Navalrai: May I know from the Honourable Member for how long these extensions have been given: for one year, or two years, or indefinitely?

The Honourable Sir Edward Benthall: For one year or the duration of the war.

Mr. Lalchand Navalrai: May I also know from the Honourable Member if it is the officers alone who get extensions or even the staff?

The Honourable Sir Edward Benthall: I think that question is being put by another Member later in the morning.

Pandit Lakshmi Kanta Maitra: May I know whether the Government have suspended for the time being the operation of the rule of retirement at the age of 55?

The Honourable Sir Edward Benthall: No, that is not correct. Each case is decided on its merits.

Dr. Sir Zia Uddin Ahmad: The Honourable Member has just said that the extension is given during the war period. May I ask one question? Suppose

an officer second in command, who ought to have taken that place, has attained the age of 55, then will he retire or will he also be given extension for the duration of war?

The Honourable Sir Edward Benthall: That is a hypothetical question, as each case will be considered on its merits.

Mr. Lalchand Navalrai: May I ask the Honourable Member whether these people who are given extensions also get promotions during the period that they work?

The Honourable Sir Edward Benthall: The answer is in the negative.

TRANSFERS OF STAFF BETWEEN STATE RAILWAYS.

2. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Railway Member please state if Government have amalgamated the entire cadre of all the Indian State Railways into one unit?

(b) Are the junior staff transferable from one State Railway to another State Railway on account of seniority?

(c) Are Government aware that their present policy of importing persons from other lines inspite of having separate cadre in each Railway is spreading great dissatisfaction among the staff?

The Honourable Sir Edward Benthall: (a) No.

(b) The reply is in the negative, in respect of non-Gazetted staff. With regard to Gazetted staff, such transfers are unusual.

(c) No.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether only officers are transferred from one line to the other or is the staff also.

The Honourable Sir Edward Benthall: It is most unusual that staff should be transferred, and I think I am correct in saying that they are only transferred with the consent of the General Managers of both of the administrations concerned.

Mr. Lalchand Navalrai: Is it because the officers are not available on the line that they are transferred, or is it for any other reasons?

The Honourable Sir Edward Benthall: They are transferred for the benefit of the administration of the railways.

Mr. Muhammad Azhar Ali: Am I to understand that when the B. & N. R. and R. K. R. Railways are amalgamated with the E. I. R. the entire staff of the two railways will be dispensed with? Or, will they be put on to some other job?

The Honourable Sir Edward Benthall: If the Honourable Member will put down a question I will give him a full reply.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that the members of the staff belonging to other State Railways have been recently transferred to the A. B. R.?

The Honourable Sir Edward Benthall: I think that is the case, but I should require notice before I could give any details.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that the A. B. R. is the step-child of the Manager of the B. & A. Railway? Will he look after the employees of the A. B. R.?

The Honourable Sir Edward Benthall: I have personally toured the A. B. R. with the General Manager of the B. & A. Railway and can assure the Honourable Member from personal observation that that is not the case.

SUPERVISOR TRAINEES AT ISHAPORE METAL AND STEEL FACTORY.

3. *Mr. Ananga Mohan Dam: (a) Will the Honourable the Supply Member be pleased to state if it is a fact that the number of the technically trained

hands from different Engineering Colleges, schools and other technical institutions having been found insufficient to cope with the rapid industrialisation of the country in consequence of the war, the technical training scheme, as formulated by the Governor General in Council, was introduced to get properly trained hands in the least possible time such as 6—18 months?

(b) Is it a fact that the minimum qualifications for the supervisor trainees under that scheme is I.Sc. standard? If so, are there any less qualified candidates who have been recruited for this scheme in the Metal and Steel Factory in Ishapore where the scheme was first introduced and what is their number?

(c) When was the scheme introduced in the Ishapore Metal and Steel Factory? How many of the supervisor trainees have been recruited and how many of them absorbed in services in this factory or other factories outside it till the 31st December, 1942?

(d) Are these supervisor trainees trained for employment in the factory of their training, *viz.*, Metal and Steel Factory at Ishapore?

(e) Is it a fact that some of the employees of the extra temporary appointments and some outsiders were given the posts of supervisors in supersession of the claims of some supervisor trainees who have completed their course? If so, why? What is the number of such appointees?

(f) Is it a fact that some of those employed from amongst extra temporary appointments do not know how to read and write English? If so, what is their number?

The Honourable Sir Homi Mody: (a) Yes.

(b) No. Recruitment of Supervisor Trainees for the Metal and Steel Factory is by selection, each case being considered on its merits.

(c) (i) In May 1941.

(ii) 230 Supervisor Trainees were recruited in the Metal and Steel Factory, Ishapore, up to 31st December, 1942.

(iii) 51 were absorbed in that factory and 6 in other factories up to 31st December, 1942.

(d) Some are under training for employment in the Metal and Steel Factory and some for other Ordnance Factories. No understanding is given, however, that a passed out trainee will be posted to any specific factory.

(e) No. The qualifications of all trainees are considered before any direct appointments are made from outside.

(f) Yes. Ten such Supervisors, all literate in their own language, have been appointed. Each of them was of a standard of skill and experience above that of any of the trainees.

SUPERVISOR TRAINEES AT ISHAPORE METAL AND STEEL FACTORY.

4. ***Mr. Ananga Mohan Dam:** (a) Will the Honourable the Supply Member please state whether the minimum period of training of the supervisor trainees in the Metal and Steel Factory at Ishapore is six months and is the period of nine months counted upon as the average for the completion of training? If so, how many of the trainees have been absorbed in services:

(i) within the period of nine months; and

(ii) at the expiry of nine months?

(b) What is the number of those who have completed (i) one year of training; and (ii) more than one year's training but have not been absorbed?

(c) What is the reason for this non-absorption?

The Honourable Sir Homi Mody: (a) The estimated minimum period of training is six months. There is no average period.

(i) 18 trainees were absorbed within nine months.

(ii) 39 were absorbed on completion of nine months' training.

(b) (i) eight trainees have completed one year of training, and

(ii) 14 have been under training for more than a year but less than 16 months.

(c) These trainees have not been absorbed as Supervisors because they have not yet reached the required standard.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether these trainees are trained in colleges and schools only, or in other institutions as well? If so, which are those institutions?

The Honourable Sir Homi Mody: They are trained in Government factories.

Mr. Lalchand Navalrai: May I know where they are, at least some of them?

The Honourable Sir Homi Mody: The Metal and Steel Factory is one factory I have mentioned; there are others.

SUPERVISOR TRAINEES AT ISHAPORE METAL AND STEEL FACTORY.

5. ***Mr. Ananga Mohan Dam:** (a) Will the Honourable the Supply Member please state what were the grades of appointments and minimum substantive pay exclusive of the overtime pay offered to the supervisor trainees, first absorbed in service in the Metal and Steel Factory, Ishapore?

(b) What was the system in practice till November 30th, 1942, of recording attendance of the supervisor trainees in the Metal and Steel Factory at Ishapore and does that system continue up till now? What is the present system and what is the reason for abolishing the old system of marking attendance?

The Honourable Sir Homi Mody: (a) The first Supervisor Trainees absorbed in service at the Metal and Steel Factory were offered appointments as 'B' Grade Supervisors in the scale Rs. 105—5—150, exclusive of overtime pay.

(b) The system was by recording clock. This was discontinued from 1st December, 1942. Insufficient time recording clocks were available to record the attendance of the rapidly increasing numbers of staff. The check system (which involves taking a numbered token from a board and depositing it in a box) was adopted on 1st December, 1942, after due consideration of alternative methods, as being the most suitable.

Mr. Ananga Mohan Dam: Was it in the experience of Government that the previous system worked well?

The Honourable Sir Homi Mody: The previous system worked all right, but as I have explained, there was not a sufficiency of recording clocks and as the numbers of the staff increased, it became necessary to institute another system.

SUPERVISOR TRAINEES AT ISHAPORE METAL AND STEEL FACTORY.

6. ***Mr. Ananga Mohan Dam:** (a) Will the Honourable the Supply Member please state if it is a fact that all the supervisor trainees of the Metal and Steel Factory, Ishapore, protested against the abolition of the previous system of recording attendance by not doing what they were asked to do from 1st December, 1942?

(b) Is it a fact that the supervisor trainees appealed to the Superintendent of the said Factory for reconsideration of the new system and some of them tendered their resignations when their appeal was not listened to?

(c) What is the number of those who have tendered resignations?

(d) What provision do Government propose to make for the future of these skilled hands under the present scheme when the Industries are likely to contract after the war and when the skilled hands will get no other scope for employment?

The Honourable Sir Homi Mody: Inquiries are being made and the information will be laid on the table in due course.

Mr. Lalchand Navalrai: May I know from the Honourable Member with regard to clause (b) of the question, what is this new system and what did they require?

The Honourable Sir Homi Mody: I have explained the new system. It is a check system involving taking a number token from the board and depositing it in a box. That was introduced after consideration of other systems, because the original system of recording clocks could not work on account of an insufficiency of these clocks.

Mr. Lalchand Navalrai: May I know that the reconsideration was that the old system should be restored?

The Honourable Sir Homi Mody: Well, I have already stated that inquiries are being made and the information will be laid on the table.

RAILWAY ACCIDENT BETWEEN CHHATIAN AND SAHAJIBAZAR RAILWAY STATIONS.

7. *Mr. Ananga Mohan Dam: (a) Will the Secretary of the Posts and Air Department be pleased to state if any public enquiry was made in connection with the railway accident which occurred between Chhatian and Sahajibazar railway stations in the district of Sylhet? If so, what is the result of the enquiry?

(b) Did any expert from the Government of India visit the locality and submit his report regarding the accident? If so, what are his findings?

(c) Was the accident due to rash driving and, if so, what steps have Government taken to punish the guilty persons?

(d) What was the number of casualties as a result of the accident?

(e) Has any compensation been granted to the dependents of the victims?

Sir Gurunath Bewoor: (a) and (b). An inquiry, as prescribed under sections 4 and 84 of the Indian Railways Act, has been held by the Government Inspector of Railways on the 19th and 20th of November, 1942. His Report has been received, and his 'finding' is that the case was one of deliberate train-wrecking by some person or persons unknown.

(c) The answer to the first part is in the negative; the second part does not arise.

(d) Eight passengers were killed outright, and three died subsequently. Thirty-six passengers and three Railway employees were injured.

(e) No.

Mr. Lalchand Navalrai: May I know if the wreckers of that accident have been arrested or not?

Sir Gurunath Bewoor: I understand that the police have the matter in hand. They are investigating the offence.

REPATRIATION OF INDIANS FROM JAPANESE-OCCUPIED COUNTRIES.

8. *Mr. Lalchand Navalrai: Will the Foreign Secretary be pleased to state how many Indians including Sindhis have been repatriated from the occupied countries under the possession of the Japanese? If there have been any, will he be pleased to place a list of the same on the table?

Mr. O. K. Caroe: It is very difficult to answer the question in the form in which the Honourable Member has put it. If he will be good enough to put down another question specifying the countries from which he asks for information as regards repatriation, I will do my best to answer it.

If however he refers to Japan itself and occupied China I place a list of repatriates on the table.

Repatriated by sea—Nos. 1 to 124.

No.	Name.	No.	Name.	No.	Name.
1.	Abdul Razaq.	15.	Bir Singh.	29.	Chunilal.
2.	Adamji T.	16.	Boghani, C. R.	30.	Dalip Singh.
3.	Akbani, M. J.	17.	Budh Singh.	31.	Dalip, Mrs. Singh (Mela Wanti).
4.	Amar Singh.	18.	Chadha, R. F. B.	32.	Dalip, Miss M.
5.	Aser Khan.	19.	Chadha, Mrs.	33.	Dalip, Miss. A.
6.	Assa Singh.	20.	Chadha, M. K.	34.	Daulatram, P.
7.	Atta Mohammad.	21.	Chadha, S.	35.	Dave, M. S.
8.	Attar Kaur.	22.	Chadha, K.	36.	Dingamal, N.
9.	Bagwat Singh.	23.	Chadha, J.	37.	Dulla Singh.
10.	Banta Singh.	24.	Chanan Singh.	38.	Eling, J. C.
11.	Basant Kaur.	25.	Charan Singh.	39.	Ganda Singh.
12.	Bata Singh.	26.	Charan Kaur.	40.	Gurbax Singh.
13.	Bhagat Singh.	27.	Charna, B. D.	41.	Gurcharan Kaur.
14.	Bibi Kaur.	28.	Chirag Din.		

STARRED QUESTIONS AND ANSWERS

No.	Name.	No.	Name.	No.	Name.
42.	Gurnam, Kaur.	70.	Maghar Singh.	98.	Rahman.
43.	Habib Mohamid.	71.	Mahra, R. G.	99.	Raj Kumari Chand.
44.	Harbans, Singh.	72.	Malkani, K. R.	100.	Rala Singh.
45.	Hari Singh.	73.	Malli Singh	101.	Ram Chand.
46.	Hari Singh.	74.	Mehta, K. J.	102.	Sahgal, R. S.
47.	Harjind Singh.	75.	Mehta, Mrs. K. J.	103.	Samtani, R. K.
48.	Himatsinhji, K. S.	76.	Mehta, F. J.	104.	Samyani, L. J.
49.	Hira Singh.	77.	Melwani, R. B.	105.	Sanmukhani, J. B.
50.	Hotchang Chullaran.	78.	Mohanani U. A.	106.	Santokh Singh.
51.	Kaimdin.	79.	Natha Singh.	107.	Sen, N. C.
52.	Kamdar, D. A.	80.	Naurang Singh.	108.	Shamsingh and Dhana Singh.
53.	Kapur, D. N.	81.	Navranjan Singh.	109.	Shanta Kumari.
54.	Karam Singh.	82.	Nazar Singh, Mrs. D.	110.	Sheth, R. A.
55.	Karanjia, Z. A.	83.	Pala Singh.	111.	Smart, S. S.
56.	Kartar Singh.	84.	Parsram, P.	112.	Swansi, N. R.
57.	Kasar Singh.	85.	Parsram, M. R.	113.	Talati, Miss. M. S.
58.	Khemschend, G. D.	86.	Parsram, A.	114.	Thakar Singh.
59.	Khushia Singh.	87.	Parsram, C.	115.	Tikamdas, P.
60.	Kiroda Singh.	88.	Parsram, G.	116.	Tolaram Detaram.
61.	Kishan Singh.	89.	Parsram, J.	117.	Ujagar Singh.
62.	Kishen Singh.	90.	Parsram, R.	118.	Ujagar Singh.
63.	Kochar, J. D.	91.	Parsram, R.	119.	Vasunia, H. P.
64.	Krishnamoorthy, E. S.	92.	Parsram, S.	120.	Viccajee, Miss R. R.
65.	Lawyer, F. A.	93.	Parsram, T.	121.	Warrior, M. G.
66.	Lekhraj, Mrs. P.	94.	Pathan, I. K.	122.	Warrior, Mrs.
67.	Lekhraj, L.	95.	Phulindar Singh.	123.	Wazir Singh.
68.	Lekhraj, H.	96.	Pritam Singh.	124.	Sohan Singh.
69.	Lekhraj, G.	97.	Purn Singh.		

Repatriated by Air—Nos. 125 to 145.

No.	Name.	No.	Name.	No.	Name.
125.	Mr. H. M. Parwani.	132.	Mr. H. S. Bannerji.	139.	L/Nk. Santarkh Singh.
126.	Jahan Dad.	133.	Miss J. M. Roza.	140.	L/Nk. Dalip Singh.
127.	G. M. Khan.	134.	Mrs. A. R. Esmail.	141.	Mr. Sarwan Singh.
128.	Mr. Ujagar Singh.	135.	Dr. Datta.	142.	Mr. Karnal Singh.
129.	Mr. Noor-Ul-Haq.	136.	Mr. K. C. Chatterji.	143.	Mr. B. Hathiraman.
130.	Mr. Mohammed Afzal.	137.	Mr. James Rainey.	144.	Mr. Manns.
131.	Mr. H. L. Advani.	138.	L/Nk. Lashkar Singh.	145.	Mr. Mohammed Amin.

Mr. Lalchand Navalrai: May I know, if the Honourable Member could tell the House, which are the places now in the possession of the Japanese, and whether the people in those places have been repatriated?

Mr. O. K. Caroe: The question regarding some of those countries, which are part of the British Empire, but now occupied by Japan, would relate to the Indian Overseas Department. The other countries would relate to my Department and I should have to answer them. But as I said before, if the Honourable Member would be good enough to put down a question specifying the countries, I will do my best to answer it.

Mr. Lalchand Navalrai: I should say that I specify every country. But then, what I want is that we should be told what some of those places are, as the Honourable Member must have some information about them. Why has that information not been given to me?

Mr. O. K. Caroe: I have placed on the table a list of repatriates—about 124 in number. The Honourable Member will see that some are from Japan itself and some from occupied part of China. The names have been mixed up. So it would be better if the Honourable Member would put his question in a specified form.

Mr. Hooseinbhoy A. Lalljee: Will the Honourable Member place before the House a list of countries occupied by Japan so as to enable the Honourable Members to mark out the countries therefrom?

Mr. O. K. Caroe: I think the Honourable Member probably knows that. He is very well informed.

Mr. Lalchand Navalrai: Can the Honourable Member tell me if any people have been repatriated from Singapore and Malaya?

Mr. O. K. Caroe: That would be a question which should be addressed to my Honourable friend, Mr. Ancy, the Leader of the House.

Mr. Lalchand Navalrai: And any from the Philippines?

Mr. O. K. Caroe: That question, I presume, would be to me. But I have no information at the moment.

DEARNESS ALLOWANCE TO RAILWAY WORKERS.

9. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state if representations have been made by the Railway staff workers and their representatives about the inadequacy of the dearness allowance granted to them and for its increase? What steps have Government taken to improve their condition consequent upon the outbreak of hostilities?

(b) Is it a fact that the house-rent allowance granted to the Railway staff drawing Rs. 60 is added to the amount of their salaries and dearness allowance is disallowed to them on the other hand?

(c) Do Government propose to remove this hardship? If not, why not?

The Honourable Sir Edward Benthall: (a) The reply to the first part is in the affirmative. As regards the second part, Railways in addition to the dearness allowance have established grain shops for sale of food grains to their employees and have provided numerous other measures for relief in the case of injuries and other hardships caused by the war.

(b) I would refer the Honourable Member to the reply to part (a) of his starred question No. 136 asked on 6th March, 1942.

(c) Government do not consider that any hardship is involved in their present orders; the second part does not arise.

Maulana Zafar Ali Khan: With regard to part (b), may I know whether the Railway employees drawing salary above Rs. 60 are not granted any dearness allowance?

The Honourable Sir Edward Benthall: That is not the case in certain parts of India.

Maulana Zafar Ali Khan: What about the North Western Railway in the Punjab?

The Honourable Sir Edward Benthall: I would require a notice of that question. The areas are divided into three classifications and I could not give you off-hand the areas of the North-Western Railway which are involved in the higher categories.

Mr. N. M. Joshi: May I know from the Honourable Member whether in view of the increased cost of living Government of India propose to increase the dearness allowance?

The Honourable Sir Edward Benthall: The whole question is under consideration at the present moment.

Mr. N. M. Joshi: May I ask when Government will come to a decision on that point?

The Honourable Sir Edward Benthall: I have nothing to add to my previous reply.

Sir Muhammad Yamin Khan: Will Government consider that the benefit of dearness allowance should be given to those employees who are getting upto Rs. 200, because the dearness allowance which is being given at the present scale might be under contemplation of the Government and might not reach upto Rs. 200; but upto Rs. 200 there is full justification to give dearness allowance. Will Government consider that point?

The Honourable Sir Edward Benthall: Representations to that effect have been considered. But the present dearness allowance was settled in conjunction with the representatives of the railway workers.

Sir Muhammad Yamin Khan: Railway workmen's representation may be representing some category and not others. Either they are of the superior services or the menial services, but the middle class is ignored who gets between Rs. 60 and Rs. 200.

Mr. Hooseinbhoy A. Lalljee: We want reply from the Government.

The Honourable Sir Edward Benthall: The Honourable Member, I think, did not in fact put a question.

Sir Muhammad Yamin Khan: I ask whether the question of these middle class people has been put up by the representatives of the railway workers or is there anybody who represents this class who came forward?

The Honourable Sir Edward Benthall: Government take care of all their servants.

Dr. Sir Zia Uddin Ahmad: Will the Honourable Member take note that the purchasing value of the rupee has gone down and that therefore the case of middle class people also be taken into consideration?

The Honourable Sir Edward Benthall: Government take all facts into consideration.

Mr. Jamnadas M. Mehta: Will the Honourable Member please say whether the Railwaymen's Federation has asked the Government to make an announcement before the Railway Budget is presented?

The Honourable Sir Edward Benthall: I have already said that the whole question is under consideration at the present moment.

Mr. Jamnadas M. Mehta: I want to know some definite time, because the Railway Budget is coming on.

The Honourable Sir Edward Benthall: I have already said that the whole question is under consideration.

Mr. Jamnadas M. Mehta: Will you please make increase in the dearness allowance before the Railway Budget is presented?

The Honourable Sir Edward Benthall: I could not give any undertaking at the precise moment, but I am prepared to discuss the matter with the Honourable Member.

Mr. Jamnadas M. Mehta: The Honourable member has received definite proposals from the Federation; is he going to accept them?

The Honourable Sir Edward Benthall: I am not prepared to make an answer at this precise moment.

Mr. Jamnadas M. Mehta: Is the Honourable Member aware that the censorship on the one hand and the silence of the Government on the other makes the Railwayman fear that there is nobody working for him? People are likely to think that the Railwaymen's Federation is dead.

The Honourable Sir Edward Benthall: Whatever the position of the Railwaymen's Federation the Government is not dead.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether there has been discontent against the arrangement which was made by the Railway Board with the Federation and whether, after that decision has been made, they are satisfied that it should not be reconsidered?

The Honourable Sir Edward Benthall: I do not think I have anything to add to what I have already said.

Mr. Jamnadas M. Mehta: Has Rs. 30 in cash and kind as dearness allowance for all employees upto Rs. 250 been now asked for by the Federation?

The Honourable Sir Edward Benthall: I have received such a representation.

ANNUITY PAYMENTS TO BRITISH INVESTORS ON INDIAN RAILWAYS.

10. ***Mr. K. C. Neogy:** (a) Will the Honourable the Railway Member be pleased to state what was the aggregate amount of annuity payments that remained to be paid to British investors on Indian Railways as on October 1, 1942, and when these various annuities would have terminated in the ordinary course?

(b) What was the lump sum payment that the Government of India have paid over, or agreed to pay over, to His Majesty's Government in lieu of the annuities above referred to?

(c) On what basis have the value of the annuities been computed so as to make up the amount to be immediately paid over to His Majesty's Government?

(d) What are the specific advantages, if any, to India in the arrangement under which, in return for the lump sum payment to His Majesty's Government, they would make available to the Government of India sums equal to the instalments of the several annuities as and when they fall due?

(e) Is it a fact that the lump sum payment represents in effect only an investment at $2\frac{1}{2}$ per cent? On what terms was the Government loan raised at the time to provide the money for the said lump sum payment?

(f) Are the Government of India continuing to shoulder any legal obligation to the annuitants until they are paid off by His Majesty's Government?

The Honourable Sir Edward Benthall: This question should have been addressed to the Honourable the Finance Member.

Mr. K. C. Neogy: I thought Railway finances are now separate from the general finances.

No answer was given.

PRELIMINARY AND FINAL RECOMMENDATIONS OF THE GRADY MISSION.

11. ***Mr. K. C. Neogy:** (a) Will the Honourable Member for Supply be pleased to state what were the final recommendations of the Grady Mission made in its Report after its return to Washington?

(b) In what respects did it modify or supplement the recommendations contained in the preliminary report prepared by the Mission while it was in India?

(c) What were the Government of India's decisions on the Mission's preliminary and final recommendations, separately?

(d) Has the Mission's Report been shelved by the Government of the United States of America on the ground that the military situation has much improved since the visit of Dr. Grady's Mission to India?

(e) Does the shelving of the Report also mean the turning down of the 35 specific requests said to have been telegraphed by the Mission while it was in India for essential machines, materials and equipments?

(f) Do the Government of India propose to let the matter drop, or to pursue it further with a view to secure the implementing of any of the recommendations now?

(g) Has the Grady Mission condemned most of the engineering workshops engaged in war supply production as "historically and actually jobbing shops", and have Government taken any steps to ensure that they cease to be so?

(h) Has any pressure been brought on the Government by any interest against the central theme of the Mission's preliminary report that the problem of production can only be solved by a strong centralised power vested in and exercised by Government?

(i) Is it a fact that American Press correspondents present at the Supply Member's Press Conference disputed the accuracy of the summary of the preliminary Report put forward by the Honourable Member and described his comments on the Mission's recommendations as "defeatist"?

(j) In view of the above allegation, do Government propose to publish the full text of the preliminary recommendations of the Mission, so as to correct any misapprehensions in the public mind?

(k) Do Government propose also to publish the main features of the final recommendations of the Mission, in so far as such publication may not give away vital information to the enemy?

The Honourable Sir Homi Mody: (a), (b) and (c). The final report of the American Technical Mission to India is a confidential document submitted by the Mission to the Government of the United States, and the Government of India, and the Government of India regret they cannot publish or comment upon the recommendations which it contains.

(d) No. The Government of the United States have informed the Government of India that in present conditions it is not possible to implement as a whole the programme recommended by the Mission but that it is open to the Government of India to urge the consideration on their merits of individual items included in the programme. The Government of the United States, have also informed the Government of India that, so far as is possible, assistance will be given to India in securing the raw materials necessary to maintain war and other essential production; the equipment required for the maintenance of existing plants; and equipment for new plants nearing completion.

(e) No. I understand that the thirty-five specific requests related largely to orders already placed in the United States which the Mission thought it desirable to expedite.

(f) The Government of India are proceeding with such projects as the Government of the United States are likely to consider as qualifying for assistance under their decision outlined in part (d).

(g) It is a fact that the engineering workshops in India are largely jobbing shops, and this fact has been mentioned in official reports of the Government of India as well as by the American Technical Mission. The term "jobbing shop" implies a distinction between the technique and equipment suitable to the execution of a large number of different orders and mass production technique and equipment. Jobbing shops are necessary and are to be found in all countries, but there are difficulties when, as in India, it is desired to convert them to mass production. A great deal has in fact been achieved by means of rationalization, and Major General Wood, who was recently appointed to study the possibility of further rationalization, proposed certain schemes which are now hand.

(h) No.

(i) I am sorry I cannot enter into a controversy about the views attributed to American Press correspondents.

(j) and (k) Government regret they are not in a position to publish either the full text of the preliminary recommendations or the main features of the final recommendations of the Mission.

Mr. K. C. Neogy: With regard to the Honourable Member's reference to the present conditions under which the attitude of the Government of the United States has undergone a change, will the Honourable Members please indicate the exact significance of the present conditions as referred to?

The Honourable Sir Homi Mody: I can only answer in very general terms. In view of the altered military situation and the fact that the United States own war effort has had to be intensified a very great deal, it is not possible for the United States to implement the full recommendations of the Mission. They have, however, promised assistance with regard to such projects as can be immediately related to India's war effort, and which the United States Government would regard as being a useful contribution to the Allied war effort.

Mr. K. C. Neogy: Is it a fact that the Grady Report was considered to be mainly a long-range plan to assist Indian industrial expansion?

The Honourable Sir Homi Mody: No; that is not a fact.

Mr. K. C. Neogy: Has the Honourable Member seen press reports to that effect from Washington?

The Honourable Sir Homi Mody: I can only tell him briefly what the Mission themselves have indicated as the scope of their functions: "the work of the Mission was directly related to the common war effort of the United Nations and was in no way connected with the post-war industrial and commercial problems of India".

Dr. Sir Zia Uddin Ahmad: Is it not a fact that the Grady Mission recommended the separation of production from the Supply Department and if so what action have the Government of India taken?

The Honourable Sir Homi Mody: Considering that a Resolution on that subject is being tabled at every Session of the Legislative Assembly, I would prefer answering the question when Dr. Zia Uddin Ahmad's motion comes up for consideration. It is, however, for the Honourable Member to choose. I am ready to meet him at any time.

Mr. Lalchand Navalrai: With regard to clause (g), what was the suggestion of the Grady Mission when they condemned the present system? What alternative did they say and did the Government agree with that alternative system?

The Honourable Sir Homi Mody: If the Honourable Member is referring to jobbing shops, I have already read out what the Government have done and what exactly was the measure of condemnation; if my Honourable friend so desires, I will read it out again.

Mr. Lalchand Navalrai: I did not follow.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not read it again, having read it out once.

The Honourable Sir Homi Mody: Whatever defects were pointed out in the system were remedied so far as it was practicable; but the original structure of the engineering shop industry could not be altered out of recognition. I have already explained that a great deal of regimentation had been going on even before the Grady Mission made its report, and after the report, Major General Wood was specially appointed to look into the question; he selected a number of projects on which rationalisation could be carried further than it had been; and several of them are already in hand.

Mr. Muhammad Nauman: May I know whether a copy of these recommendations was also submitted to the American Government and whether they have been made public in Washington?

The Honourable Sir Homi Mody: I do not think that the final report of the Grady Mission has found publicity in America. The report was marked "Secret" and was submitted to the Government of the United States as well as to the Government of India.

Mr. Muhammad Nauman: May I know how the papers in America could comment on the recommendations?

The Honourable Sir Homi Mody: I do not think they have commented upon the recommendations; they have spoken in general terms about the report.

Mr. K. O Neogy: Is it a fact that the Honourable Member's summary of the recommendations was characterised as inaccurate by American correspondents whom the Honourable Member had met in June?

The Honourable Sir Homi Mody: I can only say this: that if anybody characterised the summary issued by myself as inaccurate, then all I can say is that he was inaccurate.

Dr. P. N. Banerjee: What is likely to be the net effect of the alterations made in the Grady Report on the industrial production of India? Will they reduce the industrial production or increase it?

The Honourable Sir Homi Mody: An answer to that will require a volume almost. I do not know what specific point my Honourable friend seeks enlightenment upon. The net effect of the Grady Mission's Report has certainly been the stimulation of India's war effort. Even after the American administration felt itself compelled to turn down the recommendations of the final report, a great deal of assistance has been forthcoming from the United States, and that has been all to the good.

Dr. Sir Zia Uddin Ahmad: Did the Mission recommend the separation of production from the Supply Department—yes or no?

The Honourable Sir Homi Mody: No.

DIFFERENT CONVENTION AS REGARDS UP AND DOWN TRAINS ON EAST INDIAN AND GREAT INDIAN PENINSULA RAILWAYS.

12. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable Member for Railways please state if it is not a fact that the trains going to the North are called Up trains on the East Indian Railway but they are called Down on the Great Indian Peninsula Railway?

(b) Why have the geographical directions been reversed by the Great Indian Peninsula Railway Administration?

The Honourable Sir Edward Benthall: (a) This is not always the case.

(b) The terms "Up" and "Down" are not determined by geographical direction. The G. I. P. follow the English practice of "Up" to the main terminus, and "Down" from the terminus; whereas the East Indian Railway does the reverse.

Dr. Sir Zia Uddin Ahmad: In an interview, a candidate was put in a very uncomfortable position when he had to say that to Delhi from Calcutta was Up and to Delhi from Bombay is Down.

The Honourable Sir Edward Benthall: Did the Honourable Member put a question?

Dr. Sir Zia Uddin Ahmad: Is it a fact?

The Honourable Sir Edward Benthall: I cannot tell the Honourable Member.

PROTECTION FOR PRODUCER GAS PLANTS INDUSTRY.

13. *Mr. K. C. Neogy: (a) Will the Honourable Member for War Transport be pleased to state whether, in view of the increasing use of producer gas plants in automobiles, any measures exist at present to afford protection both for the users of gas plants as well as for the manufacturers?

(b) Are Government contemplating any action to give such protection henceforward by issuing a standard specification, and by the setting up of Government testing stations as in Australia?

(c) Have any steps been taken to ensure that only standardised and graded coal is used in producer gas plant?

(d) Are Government aware that users of producer gas plants are finding it difficult to procure insurance for their vehicles as insurance companies are not prepared for the new risk involved?

(e) Have Government investigated the economic possibilities of this new industry, and are they prepared to take any steps to place the industry on a sound footing in the post-war era to prevent the drain of Indian money by foreign oil companies?

The Honourable Sir Edward Benthall: (a) I am not clear what form of protection the Honourable Member has in mind, but the model rules which have been issued and which have been adopted generally, require that these plants should be manufactured by manufacturers approved by a competent authority and should be of an approved type or model. Such manufacturers

receive licenses for steel against the quota fixed for a province by the Central Government.

(b) In April last certain general specifications were suggested to Provincial Governments in whose field the subject lies. These have been revised recently in the light of experience and will continue to be revised as the best practice for Indian conditions becomes more evident. Under the model rules the competent authority is required to satisfy himself that the design and construction are in accordance with the general specifications which are appended to those rules. Testing stations exist at the Guindy College of Engineering in Madras, and in Bombay and Cawnpore. It is hoped that other Governments will also set up such stations. At the Centre the Department of Scientific and Industrial Research are now equipping a laboratory for tests and research at Delhi.

(c) Yes. The attention of all Provinces was drawn to the need for adequate supplies of graded charcoal over a year ago. Several of them now market standard graded charcoal and others I hope will follow.

(d) No such difficulty has been brought to my notice but I am making enquiries.

(e) The plant can be made in India from Indian materials, and with charcoal at reasonable prices competes successfully with imported motor fuel. No protection therefore seems necessary.

Sir Cowasjee Jehangir: Will the Honourable Member tell me where the test house is in Bombay?

The Honourable Sir Edward Benthall: I should have to inquire from Bombay?

Sir Cowasjee Jehangir: Can the Honourable Member tell me what service this test house renders to the public?

The Honourable Sir Edward Benthall: I cannot tell you precisely, but I shall be willing to send the Honourable Member the details. The function of the testing station is to examine, test and pass the type of plant about which it is consulted and to see that it will not cause damage to the engine of the motor car.

Mr. Hooseinbhoy A. Laljee: Will the other Honourable Members be so fortunate as to get the details which the Honourable Member promised to send to the other Honourable Member?

The Honourable Sir Edward Benthall: I can place on the table the details that the Honourable Member wishes.

Mr. K. C. Neogy: Is such testing compulsory or optional?

The Honourable Sir Edward Benthall: I should like to have notice of that question.

Sir Cowasjee Jehangir: The Honourable Member said that certain manufacturers have been given licenses to manufacture these plants. Will the Honourable Member place on the table of the House or state in the House what are the responsibilities attached to such licensees and to what extent they are expected to maintain these plants?

The Honourable Sir Edward Benthall: I will certainly place that information on the table of the House.

Pandit Lakshmi Kanta Maitra: The Honourable Member referred to some model rules. May I know who framed them and when they came into operation?

The Honourable Sir Edward Benthall: They were framed by the Government of India and circulated to Provincial Governments. I think I am correct in saying that there is a copy of them in the Library of the House.

Mr. K. C. Neogy: Has there been any attempt to secure a standardised specification so far as the centrally administered areas are concerned?

The Honourable Sir Edward Benthall: A measure of standardisation, it is hoped, will be achieved by the circulation of the model rules. It has been thought preferable to encourage the development of gas producer plants by encouraging competition both in production and in design.

Pandit Lakshmi Kanta Maitra: Did the Honourable Member say that it was purely a provincial concern? If that were so, how was standardisation to be attained?

The Honourable Sir Edward Benthall: I think I said it was primarily a provincial concern, but the centre, of course, has a responsibility for co-ordinating in this matter in war time.

Mr. K. C. Neogy: What is the answer to that part of my question which says, "Have the Government investigated the economic possibilities of this new industry"?

The Honourable Sir Edward Benthall: Government have hitherto regarded this as a war time measure and as such have fostered it with all the energy at their command.

Mr. K. C. Neogy: They do not look upon it as capable of being continued after the war is over when petrol could be had easily. Is that the position?

The Honourable Sir Edward Benthall: I have already stated, in my reply to part (e) of the question, that gas producer plants can compete, if the price of charcoal is satisfactory, with petrol engines.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

TRANSFER OF THE EAST INDIAN RAILWAY GENERAL MANAGER'S OFFICE FROM CALCUTTA.

14. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Railway Member please state whether arrangements have been made for the transfer of the office of the General Manager, East Indian Railway, or a part of his office from Calcutta to other suitable centres on the East Indian Railway?

(b) In case no arrangement has been made for such transfer, does he propose to consider the question of transfer of the above office to other places on account of difficulty of transport from Calcutta to out-stations?

The Honourable Sir Edward Benthall: (a) No.

(b) Government have looked into the question but they do not consider it expedient to transfer the office outside Calcutta.

EXTENSIONS OF SERVICE TO NON-GAZETTED RAILWAY SERVANTS.

15. *Mr. Lalchand Navalrai: (a) Will the Honourable the Railway Member be pleased to state the Railway Board's policy in regard to granting of extensions of service to non-gazetted railway servants on the State-managed Railways?

(b) Are such extensions of service given to employees in the higher than the lowest grade? If so, what steps are being taken to see that the senior and efficient employees awaiting chances of promotion in the normal course, are not deprived of their due promotions owing to extensions of service granted to superannuated persons?

(c) Is it proposed to create supernumerary posts in such higher grades in which extensions of service are given to staff to enable the staff in lower grades to get their due promotions? If not, why not?

(d) How many Train Examiners have been (i) given extensions of service, or (ii) recalled after retirement on the North Western Railway and in what grades?

(e) Have there been any complaints from the existing staff against such extensions? If so, how these were disposed of?

The Honourable Sir Edward Benthall: (a) Government have laid down no specific policy in respect of the grant of extensions to non-gazetted staff on State-managed Railways. The matter is within the discretion of the Administrations.

(b) As regards the first part, I have no definite information. As regards the second part, extensions have always been permissible and Government have never accepted the view that the grant of an extension created a right to compensation on the part of any one who expected to succeed to the post.

(c) No, for the reason stated in the reply to the latter part of part (b).

(d) (i) Six, one in grade I, two in grade II, two in grade III and one in grade IV.

(ii) Eight, three in grade I, four in grade II and one in grade III.

(e) The answer to the first part is in the affirmative. As regards the second part, I am informed that the appellants were told that the extensions have been granted in the exigencies of the service owing to shortage of trained staff.

Mr. Lalchand Navalrai: Will these extensions be till the end of the war in the case of non-gazetted officers?

The Honourable Sir Edward Benthall: So far as I am aware, it is for one year or for the duration of the war.

Mr. Lalchand Navalrai: Why is it that those people who are working even after they are superannuated,—why should they not get promotions when they are really working?

The Honourable Sir Edward Benthall: I think the answer to that is that they cannot expect to get it both ways. They cannot expect to get both extension and further promotion.

Mr. Lalchand Navalrai: It is in the interests of war or of the Government that they are made to work, and it is only reasonable that they should get promotions. Will the Honourable Member kindly consider that aspect of the question again?

The Honourable Sir Edward Benthall: I am prepared to consider the question, but I think it is unlikely there will be any alteration.

WAGONS AVAILABLE FOR TRANSPORT ON THE STATE RAILWAYS.

16. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for War Transport be pleased to state the number of wagons available for transport on the State Railways during 1940, 1941 and 1942 and how many of these wagons were allotted for military supplies and how many for the civil population supplies? What was the total number of wagons available for combined transport on the 31st December, 1942?

(b) How many new wagons were manufactured in India during 1940, 1941 and 1942 and how many are in the process of being manufactured in 1943?

(c) What is the total mileage of railways that has been shifted from within India to countries outside India for war purposes, and what transport facilities have been arranged for the use of the people of the tracts of land from which railway material had been shifted to countries abroad?

The Honourable Sir Edward Benthall: (a) The number of wagons available for transport on an individual railway varies from day to day, according to movements of traffic interchanged between railways. It is not, therefore, possible to give the number of wagons available on State Railways. The total number of wagons available on Indian Railways is given in Vol. II of the Railway Board's Annual Report, and these figures would represent the total number of wagons available for combined transport on the last day of the year to which the report refers. The number shown for the 31st of March, 1942 would approximate to the number available on the 31st December, 1942. Wagons are not specifically allotted for military or civil supplies. The demand on both accounts varies daily.

(b) New wagons and brake-vans manufactured:

	<i>Broad gauge.</i>	<i>Metre gauge.</i>
1939-40	3495	535
1940-41	1790	298
1941-42	130	93
Wagons and brake-vans still due—		
1941-42	1669	75
1942-43	1934	431
Supplementary orders	6500	230
Total	10103	736
Expected Deliveries to end of 1943-44	6602	736

(c) The first part of this question should be directed to the Secretary of the War Department. The branch lines dismantled were selected having regard to the existence of alternative road communications and in certain cases the railway bridges, formation and ballast have been released to Provincial Governments for the provision of roads on the railway alignment.

Mr. Lalchand Navalrai: May I know from the Honourable Member if any proportion is fixed for wagons for the military and wagons for the civil population?

The Honourable Sir Edward Benthall: No proportion has been fixed.

Mr. Lalchand Navalrai: Is it a fact that most of the wagons are being used for military purposes and there are very many complaints from the civil population?

The Honourable Sir Edward Benthall: The answer to the first part of the question is in the negative. That there are complaints is, of course, well known.

Mr. Lalchand Navalrai: If the answer to the first part be correct, the Honourable Member does not know what is the proportion given to the military, and is there anything fixed as to how many wagons should be used for military purposes and how many for civil purposes?

The Honourable Sir Edward Benthall: There is, of course, no proportion fixed. A wagon which on one day carries goods on account of the military, may on the next day probably carry goods on civil account.

Mr. Lalchand Navalrai: How is it that the Honourable Member says. . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is arguing, that is not a question. The Honourable Member in charge has given his answer. Next Question.

INADEQUATE SUPPLY OF WAGONS FOR COAL TRANSPORT.

17. ***Mr. Amarenura Nath Chattopadhyaya:** (a) Will the Honourable Member for War Transport be pleased to state if it is a fact that the price of coal has gone up to an abnormal amount on account of the dearth of transport? Is the Honourable Member aware of the fact that a maund of coal which previously cost at the most Re. 1 per maund now costs Rs. 4? Will he please explain the situation?

(b) Is it a fact that the Controller of Coal had granted 320 wagons for the supply of coal to Delhi which was subsequently reduced to 187? Why was this sanctioned number reduced? Is it a fact that out of this number a large number of wagons were detained in a wayside station and that the coal was sold at Rs. 100 to Rs. 120 per ton to glass bangle manufacturers? If so, why did the Railway staff allow these to be detained and sold?

The Honourable Sir Edward Benthall: (a) The Honourable Member's question presumably refers to the price of coal at Delhi. It is a fact that for some time there has been a restricted supply of public wagons for coal from the Bengal and (Bihar coalfields for upcountry stations, and that dealers have

taken full advantage of the position to charge totally unwarranted prices to the public. But the Provincial Coal Control scheme introduced by the Controller of Coal Distribution from the 1st January should, when it is in full operation, ensure that coal prices will be reduced and stabilised at or round about the figure which the Provincial Controller may fix.

(b) The Honourable Member has not stated to what month's allotment he is referring. It is not correct that in December there was an allotment of 320 wagons. A special allotment was made of 134 wagons in that month for the Delhi area. No wagons were detained at a wayside station. 35 wagons were, however, booked to Firozabad from stations in Delhi area. This came to light too late for it to be prevented but orders were immediately issued prohibiting the booking of coal from the Delhi area for other places.

Mr. N. M. Joshi: May I ask whether the Government of India are aware that some Members of the Legislative Assembly who have committed the mistake of having taken an independent house are feeling the difficulty of getting coal for domestic purposes and whether Government propose to take any measures for the supply of coal or any other kind of fuel for the Members of the Legislative Assembly?

The Honourable Sir Edward Benthall: I am not sure that that is the function of my Department. I would like to inform the Honourable Member that others, besides Members of the Legislative Assembly, have had difficulty in getting coal but I would also like to assure him that under the arrangements which are now being made there is, I think, no reason why coal should not be available in reasonable quantities and at reasonable prices to all members of the public, including Members of this Honourable House.

Dr. P. N. Banerjee: As a matter of fact, it is not available at present.

Sir Muhammad Yamin Khan: These matters cannot be thrashed out by means of questions and answers like this. A full day should be allotted to discuss the supply of food and another day to discuss the control policy of the Government of India.

BEHAVIOUR OF THE RAILWAY STAFF DURING EVACUATION AFTER CALCUTTA RAIDS.

18. ***Mr. Amarendra Nath Chattopadhyaya:** Is the Honourable Member for War Transport aware of the fact or did he receive any complaint in regard to the behaviour by the Railway staff during the days of great rush of evacuation that ensued in Howrah and Sealdah as a result of the Japanese raids on and about Calcutta? Is it a fact that wealthy men had to get one or more seats in the upper classes by paying large amounts in excess over the tickets and even had to spend lot of money at the gates? If, so, has he taken any step to prevent the recurrence of such cases?

The Honourable Sir Edward Benthall: When in Calcutta at Christmas, I heard reports of wealthy men offering substantial bribes to railway employees to secure accommodation on the trains leaving Calcutta during the evacuation which resulted from the Japanese bombing. An investigation was carried out by the Officer on Special Duty under the War Department who is concerned with the detection of bribery and corruption, and as a result two Assistant Booking Clerks are now being prosecuted on a charge of receiving bribes.

Pandit Lakshmi Kanta Mahtta: Is it not a fact that during these raids in Calcutta in December last the Railway administrations made no arrangements for the evacuation of passengers who came to the railway stations at Sealdah and Howrah?

The Honourable Sir Edward Benthall: The Government of Bengal decided the policy of evacuation and it was decided that the Railways should not be asked to provide extra trains at the first stage. I would like to inform the Honourable Member, however, that the railways later carried upwards of 800,000 people on the trains, most of them free of charge; and also that on a

recent occasion the Honourable the Prime Minister of Bengal complimented the Railways on what they had achieved.

Pandit Lakshmi Kanta Maitra: May I draw the attention of the Honourable Member to the fact that during the period commencing from the 21st to the 28th December, the period when raids had been occurring in Calcutta, no arrangements had been made and no facilities offered by the Railway Administrations, such as the Bengal Nagpur, the East Indian and the Bengal and Assam Railways, for the evacuation of passengers. Thousands and thousands of passengers congregated

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is giving information and arguing.

Pandit Lakshmi Kanta Maitra: I am putting this question. Is it a fact that during the period commencing from the 21st December up to the 28th December Railway administrations made no arrangements for evacuation?

The Honourable Sir Edward Benthall: I have just informed the Honourable Member that the Railways carried out everything that was required of them.

Dr. P. N. Banerjee: After the 28th. Not before.

Mr. Lalchand Navalrai: Does the Honourable Member say that at present there is arrangement in Calcutta for evacuation on account of the raids? Have the railways got their engines and trains ready for evacuation if an emergency arises?

The Honourable Sir Edward Benthall: It is the policy of Government not to encourage people to run away from Calcutta if it is bombed.

Mr. Lalchand Navalrai: Is it the policy of Government to see them killed?

Pandit Lakshmi Kanta Maitra: May I know why Government made no arrangements before the raids by the erection of special ticket counters, or give other facilities?

The Honourable Sir Edward Benthall: Arrangements have been and will be made for the evacuation of the population when it is decided to do so; but in this case, it was decided not to assist the evacuation of the population. Therefore, no scheme was put into operation in the early stages.

Maulana Zafar Ali Khan: Is it a fact that the Corporation of Calcutta actually called upon the people of Calcutta to leave the town and the Government of Bengal ignored this.

The Honourable Sir Edward Benthall: That is not within the sphere of my Department.

Mr. K. C. Neogy: Did the Honourable Member consult his Colleague, the Civil Defence Member, before making the indirect admission that there was a great rush on account of evacuation? The impression that we gathered from a statement made by the latter was that the Japanese air raids were a great incentive to jollification and merry making during Christmas in Calcutta.

(No answer.)

CONDITIONS OF SERVICE OF RETAINED STAFF OF THE OLD BENGAL AND NORTH WESTERN AND ROHILKUND AND KUMAON RAILWAYS.

19. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Railway Member be pleased to state:

(a) whether the services of officers and men of the former Bengal and North Western Railway and Rohilkund and Kumaon Railway have been retained by the State Railway, Oudh and Tirhut, if so, on what conditions;

(b) the total increase in salaries and provident fund of officers and men in part (a) per year;

- (c) the changes made in the speed of trains; and
- (d) the changes, if any, made in the uniforms of officers and men since the 1st January, 1943, and the total cost incurred or estimated to be incurred?

The Honourable Sir Edward Benthall: (a) The reply to the first part is in the affirmative except five officers and a few men. As regards the latter part, a statement of the terms and conditions offered to gazetted and non-gazetted staff of the B. & N. W. and R. & K. Railways on re-employment under Government have been placed in the Library of the House.

(b), (c) and (d). Government have no information concerning these details.

PACIFIC RELATIONS CONFERENCE.

20. *Mr. K. O. Neogy: (a) Will the Foreign Secretary be pleased to state whether the Government of India have any information regarding the Pacific Relations Conference which was recently held in Canada?

(b) If so, will he be pleased to state the names of the delegates who may have attended the Conference from India and the authority who selected them as well as the procedure of such selection, adding in each case (i) whether the person has been in receipt of any salary or other emoluments from the funds of the Central or any Provincial Government on account of any office held at the time of attending the conference and (ii) whether such officers were treated to be on deputation or on leave in relation to their said offices while attending the said Conference?

(c) Has any expenditure been borne out of the Indian Revenues in any way in connection with this Conference either as emoluments or honoraria of the delegates, their travelling expenses or otherwise? If so, what is the total amount involved and under what different heads, and according to what rules, has it been sanctioned?

(d) Will he be pleased to lay on the table the proceedings of the Conference in so far as any report thereof is available?

(e) Were any instructions issued to any individual delegate from India, either formally or informally, by any Department or officer of the Government of India?

(f) Was any attempt made by any Department or officer of the Government of India, either formally or informally, to have the views of any political party or organisation to be represented at the said Conference?

Mr. O. K. Caroe: (a) Yes.

(b) The names of the delegates who attended the Conference from India were:

- (1) Sir Ramaswami Mudaliar.
- (2) Sir Muhammad Zafrulla Khan.
- (3) Begum Shah Nawaz.
- (4) Rai Bahadur Mehr Chand Khanna.
- (5) Mr. Ranganathan.
- (6) Sardar K. M. Panikkar, and
- (7) Rao Bahadur Shivraj.

The Government understand that selection was made by Sir Ramaswami Mudaliar in his capacity of Chairman of the Indian Branch of the Royal Institute of International Affairs under the rules of the Institute.

The answer to portion (i) in this part of the question is that those of the delegates in receipt of Government salaries received these during the period of absence from their substantive posts, while all the delegates received travelling allowance while in America and free passages by air, in all cases from the funds of the Central Government. The answer to portion (ii) of this part of the question is that those of the delegates who hold official positions were treated as on deputation.

(c) As stated in the answer to part (b) expenditure on salaries of officials and on travelling allowances and on passages were borne by Indian Revenues.

The details have not yet all been received and indeed some of the delegates are still in America owing to the difficulty of securing return passages and it is not yet possible to give any figure of the total expenditure involved. There are precedents for regulating allowances to delegates in America and these have been followed.

(d) The proceedings of the Conference were private and it is regretted that without the agreement of the Secretary-General it would not be possible to divulge their substance. But I think the Honourable Member, and indeed the House, will be interested to hear certain tributes paid in the course of the proceedings to the Indian delegates in America and that these can be given without breach of confidence regarding the proceedings themselves. The rapporteur of the round table group on India at the plenary session stated as follows:

"This round table was remarkable for its extraordinary concentration of attention, and I think it is true to say that all the members felt that this was in a very large measure due to the personality of the members of the Indian group and the passionate sincerity with which their views were put forward."

The Secretary-General of the Conference telegraphed to Sir Girja Shankar Bajpai that the Indian delegates had rendered fine service and in the course of conversation repeated with no less fervour his eulogies of their achievements adding that the Leader had acquitted himself with great eloquence and adroitness. Lastly a friend from the scene of the Conference telephoned to Sir Girja Shankar Bajpai as follows :

"The Indian delegation to the Pacific Relations Conference has made a very good impression. They have spoken not as tutored mouthpieces of any body, but with a candour and sincerity that one associates only with strong personal conviction. Sir Zafrulla Khan, though always forceful when he spoke, intervened but rarely. The main burden of presenting the Indian point of view fell on Sir Ramaswami Mudaliar and he discharged it with impressive ability and restraint. Although the Congress party was not represented, at least two of the Indian delegates, Messrs. Mehr Chand Khanna and Panikkar, put forward the Congress point of view."

(e) No.

(f) Only in so far as the Government expressed the hope that as many different points of view as possible would be represented on the delegation.

Mr. N. M. Joshi: May I ask, Sir, whether you will permit the supplementary 12 Noon questions on this question to be put on the next day?

Mr. President (The Honourable Sir Abdur Rahim) : No; a fresh notice will have to be given.

(b) WRITTEN ANSWER.

APPOINTMENT OF SIR BARON JAYATILAKA AS CEYLON'S REPRESENTATIVE WITH THE GOVERNMENT OF INDIA.

21. ***Mr. T. T. Krishnamachari:** Will the Foreign Secretary please state :

- (a) the purpose of the appointment of Sir Baron Jayatilaka by the Government of Ceylon as their Representative with the Government of India;
- (b) whether Sir Baron Jayatilaka is conducting or expected to conduct negotiations for an Indo-Ceylon Agreement; and
- (c) whether he will have direct access to all members of the Government of India, or will have to go through the Member for Indians Overseas in his efforts to secure supplies of rice, etc., to Ceylon?

Mr. O. K. Caroe: The question should have been addressed to the Honourable Member, Indians Overseas Department.

UNSTARRED QUESTIONS AND ANSWERS.

MONTHLY ALLOTMENT OF WAGONS FOR COAL TRANSPORT.

1. Mr. K. O. Neogy: Will the Honourable Member for Railways please state:

- (a) the total number of wagons allotted in each month for loading public coal during the year 1942, separately for up and down direction traffic, showing how the figures compare with those for the corresponding months in 1941; and
- (b) the total number of wagons available for loading coal in each month under all other classes of supplies in the year 1942 in the Bengal and Bihar coal fields, showing how the figures compare with those for the corresponding months in 1941?

The Honourable Sir Edward Benthall: (a) and (b). I lay on the table statements giving the information required.

Statements.

ANALYSIS.

1. Coal booked under "Public".

Year.	Up direction.	Down direction.
1941	196,617	174,767
1942	37,838	51,035
	<u>—158,779</u>	<u>—123,732</u>

2. Coal booked under Priority classes.

1941	442,778	293,829
1942	501,242	335,747
	<u>+ 58,464</u>	<u>+ 41,918</u>

3. Coal booked under War Priority classes "C" and "H" which, prior to October 1941 was allotted under "Public".

1941	28,753	10,608
1942	114,367	74,718
	<u>+ 85,614</u>	<u>+ 64,110</u>

Months.	Total No. of wagons allotted for loading public coal.				Total No. of wagons allotted for loading other classes of coal.				Employs available for coal loading.				Total No. of wagons allotted for war Priorities.			
	1941.		1942.		1941.		1942.		1941.		1942.		1941.		1942.	
	Up	Down.	Up.	Down.	Up.	Down.	Up.	Down.	Up.	Down.	Up.	Down.	Up.	Down.	Total.	Total.
January .	15,788	14,895	11,141	11,362	33,421	22,287	38,879	24,388	86,391	85,570	532	404	986	6,829	4,792	11,421
February .	17,923	15,831	3,606	3,346	31,904	21,696	48,042	25,870	87,354	80,864	918	409	1,327	8,904	3,187	12,091
March .	19,947	17,809	3,780	6,220	32,765	20,202	46,811	31,892	90,723	88,703	969	380	1,349	9,061	6,111	15,172
April .	15,773	11,080	3,999	6,604	36,842	19,234	42,762	23,823	82,879	76,588	1,293	443	1,736	8,230	5,571	13,801
May .	16,749	13,520	480	1,674	37,976	23,134	47,736	22,362	91,379	72,252	2,246	731	2,977	9,436	5,958	15,394
June .	14,771	17,178	691	2,049	34,207	22,917	44,760	23,382	89,073	70,882	1,753	661	2,414	12,063	5,915	17,978
July .	18,320	18,672	3,352	3,245	36,626	25,734	47,998	29,371	90,352	82,966	1,495	505	2,000	12,486	7,028	19,464
August .	16,679	14,187	2,202	7,695	40,029	28,153	34,923	29,235	98,018	74,055	2,396	598	2,994	7,600	8,676	16,276
September .	16,848	10,655	3,459	4,561	38,874	27,720	45,092	29,603	93,097	82,715	2,955	717	3,672	12,940	8,734	21,674
October .	21,147	17,020	2,644	924	38,871	27,754	39,072	33,332	1,04,792	76,462	3,390	702	4,082	9,807	5,872	15,679
November .	16,185	11,890	2,064	2,017	41,252	27,698	33,245	32,044	96,015	69,370	4,696	1,750	6,446	9,389	6,924	16,313
December .	9,487	12,120	1,020	1,388	40,011	27,300	32,122	30,955	83,918	65,435	6,120	3,308	9,428	7,872	5,950	13,822
Total .	196,617	174,767	37,838	51,035	442,778	293,829	501,242	335,747	1,107,991	925,862	28,753	10,608	39,361	114,367	74,718	189,085

PROVINCIAL QUOTA SYSTEM FOR SUPPLY OF WAGONS.

2. Mr. K. C. Neogy: Will the Honourable Member for Railways explain the Provincial Quota system fully and state:

- (a) the number of wagons sanctioned for each Province up to the 15th of January, 1948, and the total monthly quotas allocated to each Province month by month;
- (b) the number of wagons indented by the collieries against Provincial Quotas from 1st to the 15th January, 1948, and the next fortnight, separately;
- (c) the total number of wagons actually allotted by the Controller against the aforesaid indents; and
- (d) whether the supply of wagons under the Provincial Quota system is guaranteed?

The Honourable Sir Edward Benthall: Under the Provincial Coal Control Scheme the Controller of Coal Distribution fixes the quota of wagons which he thinks can be made available for each Province after meeting the priority requirements of essential industries, loco and shipping coal, etc., and he also works out for each colliery the quotas which that colliery would supply to each of the Provincial areas. These latter are issued to the coal trade in the form of a pamphlet. The detailed distribution of the quota is placed under the Provincial Coal Controller appointed by each Provincial Government. The Scheme is designed to secure the equitable distribution of the quota of coal wagons fixed for each Province. An attempt is being made also to stabilise prices by getting the associations to agree to a fixed maximum price at which the dealers selected by Provincial Coal Controllers can obtain coal at the pithead. The scheme was introduced from the 1st January but it will be realised that since it has to be worked through Provincial agencies, it must take time for it to be fully effective. I may add that the scheme has been worked out in full consultation with the coal associations.

(a) to (c). I lay a statement on the table.

(d) No. No definite guarantee can be given that the supply of wagons would be made in full. This depends on the day to day wagon position and the operating conditions prevailing on the railways.

Statement.

(a)	Name of Province.	No. of wagons sanctioned up to 15th January 1948 against programmes issued by the Provincial Coal Controllers.	No. of wagons allotted as monthly quota.
	Bengal	623	3,600
	Bihar	320	1,050
	Punjab (including Delhi)	243	1,220
	Bombay	55	600
	United Provinces	Nil.	900

(b)	Period.	No. of wagons.
	1st January 1948 to 15th January 1948	1,232
	16th January 1948 to 31st January 1948.	3,046

(c)	Period.	No. of wagons.
	1st January 1948 to 15th January 1948	701
	16th January 1948 to 31st January 1948.	1,408

STOPPAGE OF DAILY ALLOTMENT OF WAGONS FOR SOFT COKE.

3. Mr. K. C. Neogy: (a) Will the Honourable Member for Railways please state if it is a fact that the Controller of Coal Distribution has stopped daily allotment of wagons for soft coke from the 1st January, 1943? Was he not aware that the Provincial Quota system could not be fully introduced before some time to come?

(b) Is it a fact that the coal controlling authorities of the Government of Bombay have issued a circular that no wagons would be allotted for soft coke out of the Provincial Quotas?

The Honourable Sir Edward Benthall: (a) No, Sir, but due to the special conditions prevailing in Calcutta and the accumulation of wagons in that area which could not be unloaded owing to labour difficulties, a complete restriction had to be imposed on the booking of coal to Calcutta stations from the 25th December to 15th January. No wagons for soft coke could therefore be allotted. Special facilities for transport were arranged for as soon as practicable and arrivals in Calcutta area commenced from January 21st. For the reasons stated the operation of the Provincial Coal Control Scheme in Bengal was delayed.

(b) Yes. The Provincial Coal Controller, Bombay, has, however, since been advised by the Controller of Coal Distribution that the quota allotted to him includes both coal and soft coke, and the mistake has been rectified.

GRADES III AND II GUARDS POSTS ON THE NORTH WESTERN RAILWAY.

4. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state the number of grades III and II Guards posts on the North Western Railway as per sanctioned strength on the 31st December, 1942?

(b) How many of the grade II Guards were promoted to grade III on the North Western Railway during the calendar year 1942, and how many were directly recruited in grade III?

(c) How many vacancies of grade III Guards still exist on the North Western Railway and when is it proposed to fill them?

(d) What is the policy in filling higher grade appointments? Are they filled when each of them falls vacant, or when several posts fall vacant? If the latter, why so?

The Honourable Sir Edward Benthall: (a) Government regret they have no information later than that furnished in reply to Sardar Sant Singh's Unstarred Question No. 109 asked on 10th March, 1941.

(b) and (c). Government have no information.

(d) No specific instructions have been laid down: whether the vacancies are filled singly or in batches is a matter within the discretion of the Administration.

VACANCIES IN ENGINEERING DEPARTMENTS OF STATE RAILWAYS.

5. Mr. N. M. Joshi: (a) Will the Honourable Member for Railways be pleased to state how many vacancies of officers in the Civil, Mechanical, Electrical and Signal Engineering Departments, separately occurred due to death, officers reaching the age of superannuation, etc., since October 1941 on the Bengal and Assam, Bombay, Baroda and Central India, East Indian, Great Indian Peninsula and North Western Railways?

(b) Were all or any of these vacancies filled in by the normal procedure of calling for applications through the Federal Public Service Commission?

(c) If the answer to (b) be in the negative, do Government propose to do so immediately, in view of the fact that suitably qualified young men are available in India for such posts?

(d) Is it not more economical for the railways to recruit qualified young officers in the abovementioned departments rather than give extensions of

service (sometimes even for more than one year) to officers who have reached the age of superannuation? If so, do Government propose to abandon the policy of giving such extensions of service?

The Honourable Sir Edward Benthall: (a) The statement attached gives the required information. It may be noted, however, that some of these men who have reached the age of superannuation have not in fact created vacancies because they have been given extensions while there are a great number of other temporary vacancies not given in the statement caused by officers being away on war work.

(b) The permanent vacancies have been filled by Probationers recruited through the Federal Public Service Commission in the normal way.

(c) Does not arise.

(d) It is more economical to recruit qualified young officers and normal vacancies have been so filled. Economy is not the only consideration however and extensions have been granted because a body of officers with the requisite experience is necessary for the efficient functioning of the Railways and many such officers have been spared for war duties.

Statement.

Vacancies which have occurred on the State-managed Railways since October, 1941.

Railway.	Civil Ensl. Department.			Transportation (Power) and Mechanical Department.			Signal Depart- ment.			Transportation (Traction and Electrical De- partment.		
	No. of officers actually retir- ed.	No. of officers died.	No. on extension.	No. of officers actually retir- ed.	No. of officers died.	No. on extension.	No. of officers actually retir- ed.	No. of officers died.	No. on extension.	No. of officers actually retir- ed.	No. of officers died.	No. on extension.
B. & A.	2	2	1	..	..	..	1	1	..	..	..	..
B., B. & C. I.	1	..	..	..	..	..	..	..	..	..	..	..
E. I. . . . .	..	1	..	2	..	3	..	..	1	..	..	..
G. I. P.	2	..	4	..	..	..	..	..	..	..	..	..
N. W.	12	1	1	..	..	6	..	..	..	..	..	..
Total	17	5	16	2	..	12	1	1	2	..	..	..-56

PAYMENT OF EXTRA DUTY ALLOWANCE TO SORTERS OF THE BOMBAY POSTAL CIRCLE.

6. Mr. N. M. Joshi: Will the Secretary of the Posts and Air Department be pleased to state:

- whether the sorters of the Railway Mail Service are required to perform extra duty resulting in the reduction of their normal rest;
- whether they are entitled to any allowance for such extra duty performed;
- whether in July 1941, the Audit Office of the Bombay Circle put a new interpretation on the expression "Extra Duty";
- whether as a result of this interpretation, the sorters performing extra duty were refused payment of Extra Duty Allowance which they were getting before;
- whether on the repeated representation by the Union and the staff, the Government issued orders after about a year by which the original orders were clarified and the officials performing extra duty became entitled to get the said allowance in all cases;
- whether the new orders of the Government provide for the payment of allowance from July 1941 to July 1942, the date of the Government order; and
- if the answer to (f) above be in the negative, do Government propose to issue fresh instructions for the payment of the allowance for that period? If not, why not?

Sir Gurunath Bewoor: (a) Yes, but only on emergent occasions.

(b) Yes.

(c) It is not a fact that a new interpretation was put on the term "extra duty" by the Audit Office of the Bombay Circle in July 1941. The Audit authorities had held, since 1934, that according to the orders of Government relating to payment of extra duty allowances, such payment was not admissible to Railway Mail Service officials for the period of rest curtailed as a result of their transfer from one set of Railway Mail Service office or section to another.

(d) Government are not aware of any such concrete case.

(e) Government have not seen any representations on the subject from individual members of the staff, but on receiving a representation from a service Union, Government issued orders in July 1942 authorising the payment of extra duty allowances in the circumstances mentioned in the reply to part (c) above.

(f) No.

(g) Government do not propose to give retrospective effect to the orders which were issued in July 1942.

ENGINES AND WAGONS IN USE ON RAILWAY LINES.

7. Mr. K. O. Neogy: Will the Honourable Member for Railways be pleased to state:

- (a) the number of locomotive engines actually in use on the railway lines at present, in respect of broad as well as metre gauges;
- (b) the increase or decrease in the number of locomotive engines since the commencement of the war;
- (c) the number of locomotives allotted for the defence requirements;
- (d) the number of wagons actually in use at present by the railways on various lines of metre as well as broad gauges;
- (e) the increase or decrease in the number of wagons in use since the beginning of the war; and
- (f) the number of wagons reserved for the defence requirements?

The Honourable Sir Edward Benthall: (a) and (d).

The stock of locos. and wagons in service on 31st March 1942 was as follows:

Locos.—

B. G.	:	:	:	:	:	5,313
M. G.	:	:	:	:	:	2,429

Wagons—

B. G.	:	:	:	:	:	150,769
M. G.	:	:	:	:	:	52,832

Later figures are not available.

(b) and (e).

The stock on hire on 31st March 1942 shows the following variations as compared with that on 31st March, 1939:

Locos.—

B. G.	:	:	:	:	:	× 13
M. G.	:	:	:	:	:	—173

Wagons—

B. G.	:	:	:	:	:	+1,638
M. G.	:	:	:	:	:	—6,258

(c) and (f).

There are no engines or wagons "reserved" for defence requirements.

RAILWAY MATERIALS SENT OUT OF INDIA TO IRAN, IRAQ, ETC.

8. Mr. K. O. Neogy: Will the Honourable Member for Railways be pleased to state:

- (a) the number of locomotives and wagons as well as other railway materials including rails, in respect of metre as well as broad

- gauges, sent out of India to Iran, Iraq, or to other countries, since the beginning of the war;
- (b) whether the Government have been able to import any locomotives and wagons from outside during the last year; if so, the number of such locomotives and wagons imported; and
- (c) the measures taken of late, if any, by the Government to increase the repairing capacity of the railway repair shops, as well as the manufacturing capacity of locomotive manufacturing establishments?

The Honourable Sir Edward Benthall: (a) This question should be directed to the Secretary, War Department.

(b) Four locomotives were imported during the calendar year 1942; no wagons were imported during that period.

(c) Government have set up special Committees in the various areas to rationalise the capacity of the various Railway Workshops in these areas. It is hoped by this means to increase the repair capacity of the Railway Workshops. As regards locomotive manufacturing capacity, this is restricted to the Ajmer Workshops of the B., B. & C. I. Railway and measures are in hand which, it is hoped, will increase the capacity of these Workshops.

WAGONS UTILIZED FOR TRANSPORT OF FOODGRAINS, ETC.

9. Mr. K. C. Neogy: Will the Honourable Member for Railways be pleased to state:

- (a) the number of wagons on the broad and metre gauge lines utilised for moving:
- foodgrains and pulses,
 - oilseeds,
 - coal and coke, and
 - other civilian goods,
- during the period April 1942 to January 1943; and
- (b) the corresponding figures for the year April 1941 to March 1942, and the year preceding the war, separately?

The Honourable Sir Edward Benthall: (a) and (b). I lay on the table two statements:

- (1) showing the number of wagons loaded from 1st April to the 20th January during the relevant years. This statement does not represent a true picture of the tonnages moved, as there has been a progressive increase in the wagon load.
- (2) the second statement is therefore added, showing the tonnages carried during the first six months of the relevant years.

The figures are approximate. They exclude the wagons loaded with Railway home-line stores and materials.

Statement (1).

Kinds of commodities.	1st April 1938 to 20th January 1939.		1st April 1941 to 20th January 1942.		1st April 1942 to 20th January 1943.	
	B. G.	M. G.	B. G.	M. G.	B. G.	M. G.
Grains and pulses . . .	363,187	214,052	352,200	244,384	274,445	199,914
Oil-seeds	110,560	95,412	95,113	86,596	71,980	68,944
Coal and Coke	903,251	115,040	1,011,140	138,812	871,555	101,665
Other goods	2,296,283	1,349,948	2,520,088	1,371,889	2,150,009	1,132,558

Statement (2).

Tonnage carried (Figures in hundreds) April to September.

Commodity.	Broad Gauge.			Metre Gauge.		
	1938.	1941.	1942.	1938.	1941.	1942.
Food grains and pulses .	3,490.5	3,637.0	3,505.3	1,313.5	1,615.1	1,661.0
Oil-seeds .	1,076.7	1,176.1	949.7	603.1	621.2	528.8
Coal and Coke .	16,835.2	19,540.9	17,345.5	1,381.6	1,475.7	1,444.0
Other civilian goods .	20,238.5	23,272.7	20,792.8	7,459.0	8,281.4	6,535.1
Total .	41,640.9	47,626.7	42,593.3	10,757.2	11,993.4	10,168.9

STATEMENTS LAID ON THE TABLE.

Information promised in reply to part (c) of starred question No. 169. asked by Mr. Lalchand Navalrai, on the 11th March, 1942.

ALLEGED BRIBERY IN SUPPLYING WAGONS ON NORTH WESTERN RAILWAY.

(c) Yes. Two such instances were reported. For the Honourable Member's information, I would add that in one, no action was possible as one of the merchants concerned produced a statement signed by all the merchants that they did not wish to proceed with the complaint. In the second case, departmental enquiries established sufficient evidence to indicate that illegal gratification, willingly given by the merchants, had been accepted by certain of the railway staff. The Station Master concerned was discharged from service and suitable deterrent action was taken against the other staff implicated.

Information promised in reply to parts (b), (c), (d) and (e) of starred question No. 67. asked by Qazi Muhammad Ahmad Kazmi on the 16th September, 1942.

DIRECTION UNDER DEFENCE OF INDIA RULES FOR RUNNING A HOTEL IN THE BUILDING OCCUPIED BY THE ALLIANCE HOTEL AT ALLAHABAD.

(b) The Government of India understand that Mr. Torpey, was declared an insolvent some years ago, but are not aware of the details of court proceedings. It is incorrect to say that Mr. Torpey has continued to run the hotel and retain possession of the building as a result of action taken under the Defence of India Rules. The District Magistrate, Allahabad, passed an order on the 4th August, 1942, under rule 75A (5) (b) directing that the owner, occupier or person in possession of the Alliance Hotel should not dispose of his property without the District Magistrate's permission during the period 4th August, to 4th November, 1942. The reason for this order was an apprehended shortage of accommodation in Allahabad, which would make it desirable that the building should continue to be used as a hotel. But this order in no way restricted any rights of the owner under the ordinary law to evict an unlawful occupier, and this was made clear by the District Magistrate to the parties concerned.

It is understood that the premises are still being used as a hotel under the management of the Official Receiver.

(c) So far as they are known to Government, the facts are that on the 12th June, 1942, the landlord wrote to the Manager of the Allahabad Branch of the Reserve Bank stating the terms on which he was prepared to let the premises. On the 18th June the Reserve Bank telegraphed to their Branch Manager their approval of these terms for a one year's lease. On the 4th August, the District Magistrate made his order referred to above, and on the 7th August, the landlord informed the Bank of this position. The proposal to lease the premises for the Bank was then abandoned.

(d) As explained above, the District Magistrate refused permission for disposal of the premises in this manner, and he was legally competent to do. He did not order the owner to run a hotel in the premises.

(e) Reference is invited to the concluding portion of the answer given to part (a) of the question.

Information promised in reply to parts (a) and (b) of starred question No. 136 asked by Mr. Lalchand Navalrai on the 22nd September, 1942.

CITY BOOKING AGENCIES ON NORTH WESTERN RAILWAY,

(a) Number of City Booking Agencies on the North Western Railway :

1939	27.
1940	34.
1941	41.

Six months
ending.

30-6-1942

41.

- (b) Amount of commission paid to the City Booking Agencies for services rendered :—

1939

1940

1941

Six months

ending.

30-6-1942

Rs. 25,695.

The information is not readily available and its collection will involve an amount of time and labour which is not justifiable in war time.

Information promised in reply to unstarred question No. 12 asked by Mr. Muhammad Ashar Ali on the 22nd September, 1942.

PARTIAL RE-IMBURSEMENT OF COUNSEL'S FEE PAID BY CERTAIN TRAVELLING TICKET EXAMINERS OF MORADABAD DIVISION FOR THEIR DEFENCE IN A CRIMINAL CASE.

- (a) It is a fact.

(b) & (d) The Travelling Ticket Examiners were advised to engage the Railway Pleader, Moradabad, whose total charges are Rs. 18 per day. The Travelling Ticket Examiners, however, requested that they should be allowed to engage Rai Bahadur Basant Lal, and should be reimbursed to the extent of the fees normally charged by the Railway Pleader, the difference being paid by them. This was agreed to and they were reimbursed accordingly. The Government see no reason to reconsider the arrangement originally agreed upon.

(c) It is not known what fees Rai Bahadur Basant Lal, actually charged the Travelling Ticket Examiners. Mr. Kidar Nath is employed occasionally in important cases and the fees are settled beforehand according to the nature of the case. In a recent case, he was paid Rs. 100 per day. The fees charged by different counsels must vary according to their standing and practice and the nature of the case.

DEATHS OF SIR MUHAMMAD YAKUB AND MR. J. RAMSAY SCOTT.

The Honourable Mr. M. S. Ansy (Leader of the House): Sir, I have to perform a painful duty before the House proceeds with the regular work on the agenda. We have lost two of our esteemed colleagues, Sir Muhammad Yakub and Mr. Ramsay Scott, since the House was adjourned last time in September.

Sir Muhammad Yakub was returned by the Moradabad Muslim constituency as its representative to the Legislative Assembly in the general election of 1923. In 1927 he was elected Deputy President of the Assembly and he continued to hold that office till he was elected President of the Assembly after Mr. Vithalbhair Patel tendered his resignation of that office in 1929. He acted as a Member of the Viceroy's Executive Council. He was one of the Muslim representatives at the Round Table Conference held in London to settle the Constitution of India. Honourable Members of the House are aware that the Government of India Act of 1935 is the result of the deliberations of that Conference.

Latterly, he was a Member of the Council of State, and he occupied that seat till the day of his death. His Exalted Highness the Nizam appointed him as the President of the Legislative Council in Nizam's Dominions. His wide experience as a Parliamentarian and President of the Legislative Assembly and his long acquaintance with the working of the constitutional reforms in British India were of great use to the Nizam's Government in preparing their scheme of reforms which they some time ago proposed to introduce in that State. And had he been spared for some years more, I feel sure the subjects of Nizam's Dominions would have greatly benefited by his prudent and wise guidance.

I was his colleague in this House since he entered it. I am sure the House will wish to record its sense of profound sorrow at the untimely death of the late Sir Muhammad Yakub.

Mr. Ramsay Scott was a representative of the United Provinces European Constituency and an active member of the European Group in the Legislative Assembly for a number of years. He was a European with a broad and liberal outlook. Besides the legislative work he interested himself in many useful activities outside. He was ever ready to give a helping hand to anyone who had

some useful work to do. He was one of the prominent Members of this House who actively co-operated with the late Krishna Kanta Malaviya in starting the All-India Gliders' Association. He sat on several important Committees and did very useful work. This Assembly in general and the European Group in particular have lost in him a member who had long experience of public life and parliamentary activities and a sound and thorough knowledge of business problems. His views were always clearly expressed and respectfully heard in this House.

Sir, I request you, on behalf of the Members of this House, to convey to the surviving Members of the families of these two distinguished persons our sincere sympathies in their bereavement.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, on behalf of my Party I associate myself with every word that has fallen from the Honourable the Leader of the House about the loss that this House and the country have suffered in the deaths of the late Sir Muhammad Yakub and Mr. Ramsay Scott. Sir Muhammad Yakub was an old personal friend of mine and a gentleman who had long been associated with the activities of the Muslim League, having acted for a long time as Secretary of the All-India Muslim League. He was an ex-member of the Independent Party of which I also became a member on my being elected to this House. He was a very prominent figure in politics and his views were always characterised by sincerity, consistency and enthusiasm for the causes for which he worked. There is no doubt that a man of his vast and varied experience in politics would have rendered further services and added to the long record of services which he had already rendered had he been spared to live longer. His death at the time when it took place certainly has left the country much poorer on that account.

Mr. Ramsay Scott was certainly a very prominent figure in this House and he was a very much esteemed member of the European Group. I had the honour of being associated with him on certain Committees and know how valuable his contributions to the debates in this House and the work on the Committees were. By his death this House has suffered a great loss and the European Group has lost a very estimable member. I join the Honourable the Leader of the House in requesting you to convey the sense of loss of this House to the bereaved families.

Sir Henry Richardson (Nominated Non-Official): Sir, for the second time within a year it is again my sad duty to join the sentiments of the European Group with those of the other Leaders on the loss of another colleague. It was on the last day of the Autumn Session of 1941 that Mr. Buss unexpectedly passed away and now by an unhappy coincidence on the last day of the Autumn Session of 1942 Mr. Ramsay Scott, who was the oldest member of this Group, died with equal suddenness. He joined this Assembly on the 25th February, 1930, and continued to represent his constituency uninterruptedly until the day of his death. During that period he made valuable contributions to the deliberations in this House and it is obvious from what has been said today that the affection and esteem which he had earned from his colleagues in this Group was also shared by all other sections of the House. Sir, these unexpected tragedies render our losses all the more severe. We are deeply grateful for the sympathy which has been so sincerely expressed and we add our own tribute of affectionate memory to our late colleague.

We also join our sentiments with those already expressed on the death of Sir Muhammad Yakub who was greatly respected by this Group and with whom our relations were most cordial. Sir, we request you to inform the bereaved families of these condolences.

Mr. President (The Honourable Sir Abdur Rahim): I associate myself entirely with what has fallen from the Honourable the Leader of the House and other Honourable Members who have spoken on this occasion. I knew both the deceased for some time and I could claim their friendship and I fully share the

grief which has been given expression to by the Honourable the Leader of the House and other Honourable Members, and it will be my duty to communicate to the bereaved families our sincere sympathies in their bereavement.

MOTIONS FOR ADJOURNMENT.

FAILURE TO DEVISE SUITABLE SYSTEM OF FOOD CONTROL.

Mr. President (The Honourable Sir Abdur Rahim): I have received several notices of Motions for Adjournment from several Honourable Members of the House. The first one is in the name of Sardar Sant Singh. He wishes to move for adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, namely, the failure of the Government in devising a suitable system of food control in the country resulting in the acute suffering of the people, particularly poorer classes, in obtaining supply of foodstuffs and leading to the establishment of black markets in all parts of the country.

The Honourable Mr. N. R. Sarker (Member for Commerce and Food): I have no objection to the acceptance of this motion, but I would request the Honourable the Mover to withdraw his motion. I am prepared to allot a separate day early next week for a full-dress debate on this question of national importance.

Sardar Sant Singh (West Punjab: Sikh): In view of the statement of the Honourable Member, I do not wish to proceed with my motion.

Mr. K. O. Neogy (Dacca Division: Non-Muhammadian Rural): As I have also given notice of a similar motion, may I be permitted to express the hope that as Government have now agreed to allot a separate day for the discussion of this question, the subject should not be confined only to food, because the House is very much interested in the question of standard cloth as well as the proper supply of fuel. My submission is that the discussion should be comprehensive enough to comprise the position with regard to necessities of life generally.

The Honourable Mr. N. R. Sarker: I am prepared to do that.

Mr. President (The Honourable Sir Abdur Rahim): A day will be allotted for discussing this question of food supply, distribution of fuel and also standard cloth—that is, the necessities of life generally—I think the particular day can be arranged by discussion with Party Leaders.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): I have given notice of a motion for adjournment to discuss the question of standard cloth. I think it will be better if two days are fixed for discussion of these two important subjects, food and standard cloth. The two subjects are so important that each would require two days. If the Honourable Member is not agreeable to allot two days, then I should press my motion if it comes to that.

Mr. President (The Honourable Sir Abdur Rahim): What have the Government got to say with regard to the suggestion of Mr. Deshmukh? He wants a separate day for standard cloth.

The Honourable Mr. N. R. Sarker: I cannot accept the position that standard cloth requires a separate day for discussion.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member does not accept that.

Mr. Govind V. Deshmukh: Then I will proceed with my adjournment motion.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadian Rural): It would be well if two days are allotted for the whole debate.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadian Urban): That is not an unreasonable request.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadian Rural): There should be a discussion on the question of control of all necessities of life.

Mr. President (The Honourable Sir Abdur Rahim): That will also be included in that discussion.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): No, Sir. The control system is quite different from the control of food supply. The control system of the Government of India includes many other things.

Mr. President (The Honourable Sir Abdur Rahim): That will be dealt with when we come to that motion.

SALE OF GOVERNMENT OF INDIA SILVER IN ENGLAND TO THE BRITISH GOVERNMENT.

Mr. President (The Honourable Sir Abdur Rahim): The next motion for adjournment is in the name of Sardar Sant Singh. He wishes to move for the adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, namely, sale of silver belonging to the Government of India and lying in England with the Secretary of State for India to the British Government at a price much lower than that prevailing in Indian markets and thus causing very heavy loss to the Indian tax payer.

The Honourable Sir Jeremy Raisman (Finance Member): If I may deal with this and the next motion for adjournment which also relates to sale of silver. . . .

Mr. President (The Honourable Sir Abdur Rahim): The two cannot be dealt with like that. If I find this in order, then the question will be whether the House will give leave for this motion and if objection is taken, I will have to see that there is sufficient support for this motion.

The Honourable Sir Jeremy Raisman: What I was submitting was that there are two adjournment motions down on almost an identical subject and I wish to submit the facts relating to both these and urge that the matter is not urgent. The facts which I wish to bring to your notice are these: In the first place, contrary to the general impression, there have been no sales of silver by the Government of India to His Majesty's Government since the House was last in session. In the second place, at no time since the war began have the Government of India sold silver to His Majesty's Government at a price lower than the American acquisition rate for imported silver. Since the American rate for silver was last raised, His Majesty's Government have not even approached the Government of India for further sales of silver. The other aspect of the matter, namely, as regards the sale by the Government of India at prices lower than those prevailing in Bombay, I submit, is not an urgent matter for the reason that that has been the case for some time. It was the case during the last Session. A detailed question on the subject was put by Mr. Neogy, in reply to which I gave a detailed answer, so that the sale at prices below Indian prices, below the prices prevailing in Bombay is not an urgent matter and Government's attitude in regard to that has already been explained. The alleged sale at prices below those prevailing in New York is not a fact.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): It is urgent but not of recent occurrence.

Mr. President (The Honourable Sir Abdur Rahim): In view of the statement made by the Honourable the Finance Member, I must hold that the motion not being urgent is out of order.

Mr. Govind V. Deshmukh: May I say a word?

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable Member cannot enter into discussion. I will go on to the next motion.

Mr. Govind V. Deshmukh: But it is urgent.

Mr. President (The Honourable Sir Abdur Rahim): I have held that it is not urgent. I waited for any Member to challenge the facts stated by the

[Mr. President.]

Honourable the Finance Member but no one came forward. I hold that having regard to the facts mentioned, this motion cannot be held to be urgent.

The next one is in the name of Mr. Deshmukh. That is covered.

Mr. Govind V. Deshmukh: I read this in the December issue of the Capital, and after that we are meeting only today. The matter is urgent and it is a matter of recent occurrence. It is urgent of course, because we have been put to a loss. We do not know what further transactions of sale are going to take place, and there may be further agreements. . .

Mr. President (The Honourable Sir Abdur Rahim): It is a question of order, and the Finance Member has already pointed out in respect of the previous motion that it was not an urgent matter because the matter was discussed during the last Assembly Session and questions were asked and answered.

Mr. Govind V. Deshmukh: Would further sales take place? If they are going to continue sales, then certainly it is an important matter and there will be further loss in this transaction.

Mr. President (The Honourable Sir Abdur Rahim): I hold that this motion also is out of order.

FOOD AND STANDARD CLOTH POSITION AND LACK OF ATEBRIN AND SULPHATHIAZOLE.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of Mr. Neogy and is with regard to the food position. A day will be allotted for that purpose.

The next motion is also with regard to wheat and other food grains. That will be discussed on the day which will be allotted for this purpose.

The next one is regarding standard cloth. I think this question will also be dealt with on the same day.

Mr. Govind V. Deshmukh: I am not agreeable to the proposal. I want to know what the Government's attitude is.

The Honourable Mr. N. R. Sarker: We are prepared to give two days for discussing all measures relating to food, standard cloth and other necessities of life.

Mr. President (The Honourable Sir Abdur Rahim): That will, I believe, satisfy all Honourable Members including, I hope, Mr. Deshmukh.

The next one is also in the name of Mr. Deshmukh regarding lack of Atebrin and Sulphathiazole. Do I take it that it will also be included in these two days?

Mr. Govind V. Deshmukh: No, Sir. This is quite a separate subject. This is on the subject of removing obstacles in the manufacture of the most essential and useful drugs such as 'Atebrin' and 'Sulphathiazole'. Atebrin is used as a substitute for quinine which we are not getting. And yet we are not allowed to manufacture Atebrin. I have seen malaria cases being rejected by doctor because of the shortage of quinine and Atebrin.

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member agreeable to this matter being discussed during the two days that will be allotted.

Mr. Govind V. Deshmukh: I am afraid there are so many things which cannot be discussed on those days. . .

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member object to this being discussed during the two days that will be allotted?

Mr. Govind V. Deshmukh: No.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of Mr. Baijnath Bajoria. He wants to discuss the shortage of small coins in India. Will that be covered. . .

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): That is a subject with which the Finance Member is concerned. It falls under a different category.

The Honourable Sir Jeremy Raisman: I have no objection.

Mr. President (The Honourable Sir Abdur Rahim): This motion will be taken up at 4 O'Clock unless the business on the agenda is finished before that time. In that case, if the House so desires, it will be taken up when the business of the agenda has been completed. Is that the desire of the House?

Honourable Members: Yes, Yes.

NOMINATION OF THE PANEL OF CHAIRMEN.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the House that under sub-rule (1) of rule 3 of the Indian Legislative Rules, I nominate Syed Ghulam Bhik Nairang, Mr. Jamnadas M. Mehta, Sir Henry Richardson and Sir Cowasjee Jehangir on the Panel of Chairmen for the current Session.

COMMITTEE ON PETITIONS.

Mr. President (The Honourable Sir Abdur Rahim): I have to announce that under sub-order (1) of Standing Order 80 of the Legislative Assembly Standing Orders the following Honourable Members will form the Committee on Petitions, namely:

Syed Ghulam Bhik Nairang;
Mr. Govind V. Deshmukh;
Sir Abdul Halim Ghuznavi; and
Mr. N. M. Joshi.

According to the provision of the same Standing Order the Deputy President will be the Chairman of the Committee.

PUBLICITY OF THE PROCEEDINGS OF THE MEETINGS OF THE SELECT COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): I would like to draw the attention of Honourable Members to my ruling which I gave on the 12th March, 1940, and in which I made it quite clear that it is not permissible to the members of the Select Committee or to any one who has access to its proceedings to communicate directly or indirectly to the press any information regarding its proceedings including its report or any conclusions supposed to have been arrived at finally or tentatively before the report has been presented to the House. Recently a breach of this well-established convention has come to my notice, but as the Editor of the Newspaper and the Honourable Member concerned have expressed their regret for departing from this practice and have assured me that care would be taken to avoid any recurrence of such a case in future, I do not consider it necessary to pursue this matter any further. I would, however, again emphasize that it is expected of the press to co-operate with the House in this matter and to abstain from publishing such information from whatever source it may have been received.

H. E. THE GOVERNOR GENERAL'S ASSENT TO BILLS.

Secretary of the Legislative Assembly: Sir, information has been received that the following Bills which were passed by both Chambers of the Indian Legislature during the Autumn Session, 1942, have been assented to by His

Excellency the Governor General under the provision of sub-section (1) of section 68 of the Government of India Act, as continued by section 317 of the Government of India Act, 1935:

1. The Indian Companies (Second Amendment) Act, 1942.
2. The Indian Rubber Control (Temporary Amendment) Act, 1942.
3. The Code of Civil Procedure (Amendment) Act, 1942.
4. The Code of Civil Procedure (Second Amendment) Act, 1942.
5. The Repealing and Amending Act, 1942.
6. The Federal Court (Supplemental Powers) Acts, 1942.

AMENDMENTS TO THE INSURANCE RULES.

The Honourable Mr. N. R. Sarker (Member for Commerce and Food): I lay on the table a copy of certain further amendments to the Insurance Rules, 1939, published under the Department of Commerce Notification No. 597-I(1)/42, dated the 26th September, 1942.

Department of Commerce Notification, dated New Delhi, the 26th September, 1942.

No. 597-I, (1)/42.—In exercise of the powers conferred by sub-sections (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government is pleased to direct that the following further amendments shall be made in the Insurance Rules, 1939, the same having been previously published as required by sub-section (1) of the said section, namely :—

I. In the said Rules—

(a) in rule 5—

(i) for sub-rules (1) to (3), the following sub-rules shall be substituted, namely :—

“(1) Deposits made in pursuance of the Act shall be held by that office of the Bank (hereinafter referred to as the appropriate Indian office) in whose area of administration the principal office in British India of the depositor is situated :
Provided that deposits in sterling securities shall be held by the London office of the Bank on behalf of the appropriate Indian office.

(2) Deposits in sterling securities shall be sent by the depositor with a covering letter to the Manager of the London office of the Bank, and shall not be brought on the books of the appropriate Indian office until the receipt of an intimation in Form I from the London office.

(3) Deposits, other than deposits in sterling securities, shall be sent by the depositor with a covering letter to the Manager of the appropriate Indian office of the Bank.”

(ii) in sub-rule (5), for the words “Calcutta office” the words “appropriate Indian office” shall be substituted;

(b) in sub-rules (2) and (3) of rule 8, for the words “Calcutta office” the words “appropriate Indian office” shall be substituted.

II. In the Forms appended to the said Rules—

(a) in Forms I, II and III, for the word “Calcutta” dots “.....” shall be substituted;

(b) in Form II, columns 3 and 6 shall be omitted and the columns, 4, 5 and 7 shall be renumbered as 3, 4 and 5 respectively;

(c) in Form IV, for the sub-heading “Name of the insurer” the sub-heading “Name of the depositor” shall be substituted.

S. N. RAY,

Addl. Joint Secy. to the Govt. of India.

AMENDMENTS TO CERTAIN MOTOR VEHICLES RULES.

Sir Gurunath Bewoor (Secretary, Posts and Air Department): Sir, I re-lay on the table a copy each of:

- (i) Notification, No. A-1-3594/41, dated the 21st March, 1942, issued by the Chief Commissioner of Coorg amending the Coorg Motor Vehicles Rules, 1940;
- (ii) Notification No. A-3-4024/41, dated the 11th March, 1942, issued by the Chief Commissioner of Coorg amending the Coorg Motor Vehicles Rules, 1940;

- (iii) Notification, No. F. 12(3)/42-General, dated the 11th March, 1942, issued by the Chief Commissioner, Delhi, amending the Delhi Motor Vehicles Rules, 1940;
- (iv) Notification, No. F. 12(31)/42-General, dated the 2nd April, 1942, issued by the Chief Commissioner, Delhi, amending the Delhi Motor Vehicles Rules, 1941;
- (v) Notification, No. F. 12(40)/42-General, dated the 21st May, 1942, issued by the Chief Commissioner, Delhi, under section 70 of the Motor Vehicles Act, 1939;
- (vi) Notification, No. F. 12(36)/42-General, dated the 8th June, 1942, issued by the Chief Commissioner, Delhi, under sections 21, and 41 of the Motor Vehicles Act, 1939;
- (vii) Notification, No. F. 14-6-III, dated the 25th May, 1942, issued by the Chief Commissioner, Ajmer-Merwara, amending the Ajmer-Merwara Motor Vehicles Rules, 1940; and
- (viii) Notification, No. F. 14-6-III, dated the 13th July, 1942, issued by the Chief Commissioner, Ajmer-Merwara, amending the Ajmer-Merwara Motor Vehicles Rules, 1940.

The Chief Commissioner of Coorg, Notification No. A-1-3594/41, dated Mercara, the 21st March, 1942.

In exercise of the powers conferred by section 70 of the Motor Vehicles Act, 1939 (IV of 1939), and Notification of the Government of India, Department of Communications, No. R. 60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendment in the Coorg Motor Vehicles, Rules, 1940, issued with his notification No. R. F. 43/121-39, dated the 26th March, 1940.

Amendment.

At the end of Chapter V, after rule 148 of the said rules, the following heading and rules shall be inserted, namely:—

Special rules applicable to motor vehicles using producer gas as a motor vehicle fuel.

148-A. In these rules, unless otherwise expressly stated, "producer" means the whole of the generator, pipes, coolers, filters and accessories necessary for the generation of gas and its supply to the engine.

148-B. On or after the 15th October, 1941, no producer shall be fitted to a motor vehicle unless the producer—

- (a) has been made by a manufacturer approved in this behalf by the Madras or Mysore Government and further approved by the Coorg Provincial Transport Authority as to its fitting on the vehicle and other details;
- (b) is of a type or model approved by, and in accordance with specifications approved by, that authority for use on the type of vehicle concerned;
- (c) has affixed to the generator in such a manner as to be clearly visible, a metal plate having legibly displayed upon it the name of the manufacturer and the manufacturer's serial number:

Provided that in the case of stage carriages or goods vehicles plying inter-provincially between Coorg and Mysore or Coorg and Madras, when it is proved to the satisfaction of the Coorg Provincial Transport Authority that the producer gas fitted to such vehicles has been approved in all respects by competent authorities of those provinces, no further approval by the Coorg Provincial Transport Authority shall be necessary.

148-C (1) Any person seeking the approval of the Provincial Transport Authority under rule 148-B, shall make application in writing to the said authority accompanied by duplicate copies of the specifications, of clear drawings or prints of the producer and of the instructions for working it, and shall state the type or model of motor vehicle and the size and horse-power of the engine for which the producer is intended.

(2) If so required by the said authority, a person who has made an application under sub-rule (1) shall furnish at his own expense a vehicle fitted with the producer for such test on the road (including a road journey of not less than 50 miles continuous) as the authority may specify.

148-D. (1) Before according approval to any type or design of producer the Provincial Transport Authority shall satisfy itself that the design and construction proposed are in accordance with the provision of these rules and in particular that—

- (a) the design is reasonably simple and suitable to the type of vehicle for which it is intended and is such that it can be fitted to the vehicle in such a way that the driver's vision and control of the vehicle are not impeded, the convenience and safety of passengers is not endangered, the weight of the producer can be

- reasonably distributed over the chassis, and the filters, coolers, pipes and other parts requiring frequent cleaning and attention can be fitted in readily accessible places;
- (b) the effective capacity of the generator, hopper and filters is sufficient to provide fuel to propel the vehicle for a distance of not less than 50 miles without re-charging the hopper or cleaning the filters;
- (c) the producer is capable of providing gas to propel the vehicle by the gas alone along a level road with its full lawful load at a sustained rate of speed of not less than—
 - (i) in the case of a goods vehicle not being a heavy transport vehicle, 20 m.p.h.,
 - (ii) in the case of a goods vehicle being a heavy transport vehicle, 15 m.p.h.,
 - (iii) in any other case, 25 m.p.h.
- (d) the materials and methods of construction specified by the applicant are, save as otherwise declared by the applicant, calculated to withstand fair wear and tear for a period of not less than two years under the normal conditions of working of the type of vehicle for which the producer is intended.

(2) The instructions for the working of the producer shall be subject to the approval of the Provincial Transport Authority which shall cause to be endorsed thereon a statement of the materials and parts declared by the applicant not to be calculated to withstand two years' fair wear and tear.

148-E. Every producer shall be designed, manufactured, fitted and maintained with all reasonable care necessary to prevent danger from fire, gas poisoning, and burns, and in particular—

- (a) all pipes, joints, valves and all covers to the hoppers, generators, cooling chambers, filters and other accessories shall be free from gas or air leaks; and
- (b) if an escape funnel is fitted to the generator for use during the blowing of air through the generator, the mouth of the funnel shall be placed above the level of the roof of the vehicle.

148-F (1) No part of any producer shall be placed so as to reduce the field of vision of the driver by means of the mirror prescribed in rule 96 or otherwise, or so as to impede the driver in his control of the vehicle.

(2) In a public service vehicle—

- (a) no part of the producer shall be placed within the passengers' compartment; and
- (b) the generator shall be centrally placed in rear of the passengers' compartment, either completely outside it or recessed into the rear panel, and shall be insulated and have the clearance prescribed in rule 148-G:

Provided that notwithstanding the provisions of rule 88 (a) the generator and a reserve of fuel not exceeding one hundred and fifty pounds in weight may be carried on a trailer attached to a public service vehicle.

(3) No public service vehicle fitted with a producer shall have any opening or door in the rear end of the vehicle.

(4) In a transport vehicle other than a public service vehicle the generator shall not be placed forward of the rear of the driver's cab and shall be insulated and have the clearance prescribed in rule 148-G.

148-G. (1) On any motor vehicle, if any part of the generator is so placed as to be within a distance of six inches in a horizontal plane from any part of the vehicle, the vehicle shall be insulated from the generator by a sheet of asbestos one-eighth of an inch thick, or by such other insulating material as the Provincial Transport Authority may by general or special order in writing specify in this behalf, not less in height than the height of the generator (including the hopper) and of such a width as—

- (a) where the generator is recessed; to completely line the recess; and
- (b) where the generator is not recessed, to project for a distance of not less than six inches on either side of the generator.

(2) No part of a generator shall have a clearance between it and the insulating material prescribed in sub-rule (1) of less than two inches.

148-H. (1) In the case of a goods vehicle the generator may be placed centrally at the rear of the vehicle as prescribed for a public service vehicle or, behind the driver's cab.

(2) When the generator is placed behind the driver's cab it shall be adequately enclosed in a separate compartment, and no goods shall be carried in that compartment.

148-I. No generator and no pipe connecting the generator to the gas filters shall be so placed that any part of the generator or pipe is within a distance of less than—

- (a) two feet from any part of the petrol tank; or
- (b) four feet from the filling point or orifice of the petrol tank:

Provided that if the filling point or orifice is screened off from the generator by an adequate partition, clause (b) shall not apply in relation to the generator.

148-J. On any transport vehicle the filters and gas coolers shall be so placed as to be readily accessible for cleaning at any time.

148-K. Every part of the producer shall be firmly and securely fixed in place, and all pipes, valves, joints and hopper lids or covers shall at all times be maintained in a gas-tight condition.

148 L. No driver or other person in charge of a motor vehicle to which a producer is fitted shall—

- (a) at any time when there is fire in the generator cause or allow the vehicle to stop or remain stationary at a distance of less than ten yards from any other motor vehicle or of less than 20 yards from any petrol pump or place where petrol is supplied in tins;
- (b) at any time when there is fire in the generator, pour petrol or cause or allow petrol to be poured into the petrol tank;
- (c) carry, or cause or allow to be carried, in the vehicle (save in the regular petrol tank thereof) any petrol or other inflammable or explosive substance;
- (d) clean or rake out the generator at any appointed bus stand or stopping place or within a distance of less than 20 yards from any other motor vehicle, or cause or allow the same to be done by any person;
- (e) where a park, bus stand, or halting place or a part of a park, bus stand or halting place is set apart for vehicles fitted with producers, allow the vehicle to stop or remain stationary in any other park, bus stand or halting place or other part thereof, as the case may be;
- (f) place the vehicle, or cause or allow it to be placed, in any garage or shed unless the garage or shed is provided with a permanent opening or openings for sufficient ventilation other than doors and windows that may be closed.

148-M. (1) The projection of any part of a producer beyond the rear of the vehicle shall be deemed not to be a part of the vehicle for the purposes of rules 108 and 110 of the Coorg Motor Vehicle Rules, 1940.

(2) No producer shall be fitted to any motor vehicle in such a way that the vehicle thereby contravenes the provisions of rule 107 or rule 109 of the Coorg Motor Vehicle Rules, 1940.

Note.—Every driver or other person in charge of a motor vehicle to which a producer is fitted is informed that the fitting of a producer gas plant is in effect an alteration for purposes of section 32 of the Act, and is advised in his own interest to have the vehicle inspected and the fact noted on the certificate of fitness before putting it into use.

J. W. PRITCHARD,
Chief Commissioner, Delhi.

The Chief Commissioner of Coorg, Notification, No. A-3-4024/41, dated Mercara, the 11th March, 1942.

In exercise of the powers conferred by section 48 (d) of the Motor Vehicles Act, 1939, read with section 68 (z) and (za) and the notification of the Government of India, Department of Communications, No. R. 60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendment to the Coorg Motor Vehicles Rules, 1940, issued with his notification No. R.F. 43/121-39, dated the 26th March, 1940.

Amendment.

After Rule 56(b), add the following :—

"56(c). The Provincial Transport Authority may stipulate, if necessary, specific conditions for the carriage of mails in any stage carriage on any route."

2. In Part A of Form P.St.S.

Add the following, as item 15 :—

"15.—The permit-holder shall, if required carry mails, at such rates, as may be fixed by the Provincial Transport Authority, in consultation with the Postal Authorities concerned."

J. W. PRITCHARD,
Chief Commissioner.

Office of the Chief Commissioner, Delhi, Notification, dated Delhi, the 11th March, 1942.

No. F.12(4)/42-General.—In exercise of the powers conferred by clause (d) of sub-section (2) of section 70, of the Motor Vehicles Act, 1939, read with the notification of the Government of India in the Department of Communications No. R.-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendment in the Delhi Motor Vehicles Rules, 1940, the same having been previously published with his notification No. F. 12(3)/41-General, dated the 5th January, 1942.

Amendment.

In sub-rule (1) of rule 5-59 for the figures and words "225 pounds in weight unladen" the figures and words "1,100 pounds in weight laden" shall be substituted.

A. V. ASKWITH,
Chief Commissioner, Delhi.

Office of the Chief Commissioner, Delhi, Notification, dated Delhi, the 2nd April, 1942.

No. F.12(31)/42-General.—In exercise of the powers conferred by clause (za) in sub-section (2) of section 68 and clause (d) in section 48 of the Motor Vehicles Act, 1939, read with the Notification of the Government of India in the Department of Communications No. R.-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendment in the Delhi Motor Vehicles Rules, 1941, the same having been previously published with his Notification No. F.12(5)/42-General, dated the 5th February 1942.

Amendment.

After rule 4.18 the following shall be added, namely :—

"4.18-A. The Provincial Transport Authority may attach to any stage carriage permit Carriage of mails in stage a condition that the holder shall, if required carry mails at carriages. such rates as may be fixed by the Provincial Transport Authority in consultation with the postal authorities."

A. V. ASKWITH,
Chief Commissioner, Delhi.

Office of the Chief Commissioner, Delhi, Notification, dated Delhi, the 21st May, 1942.

No. F. 12 (40)/42-General.—In exercise of the powers conferred by section 70 of the Motor Vehicles Act, 1939, read with the notification of the Government of India in the Department of Communications, No. R.-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following rules the same having been previously published with his notification No. F. 12 (40)/42-General, dated the 4th May, 1942.

2. The Chief Commissioner takes this opportunity of drawing attention to the provisions of section 32 of the Motor Vehicles Act, 1939, under which the owner of any motor vehicle who affixes a charcoal gas plant to it is required to report the fact to the Registering Authority within whose jurisdiction he resides.

RULES.

1. These rules may be cited as the Delhi Motor Vehicles (Use of Charcoal Gas) Rules, 1942.
Title.

2. In these rules, unless there is something repugnant in the subject or context,—

Definition.

(a) "Board" means the Board constituted by the Chief Commissioner under rule 3 of these rules;

(b) "charcoal gas plant" means an apparatus for generating gas by the combustion of charcoal with a view to the use of the gas for the propulsion of a motor vehicle, and includes the whole of the generator, pipes, coolers, filters and accessories necessary for that purpose and for the supply of the gas to the engine of the motor vehicle.

3. (1) For the purpose of approving persons to serve as manufacturers of charcoal gas plants, and to perform the other functions which are to be discharged by the Board under these rules, the Chief Commissioner may appoint a Board, consisting of the Chairman of the Delhi Provincial Transport Authority and not less than two and not more than four other persons.

(2) In the event of a disagreement between the members of the Board the opinion of the majority shall prevail.

4. (1) Any person desiring to be approved as a manufacturer of charcoal gas plants shall make an application to the Board accompanied by specifications and drawings in duplicate of the plant or plants which he proposes to manufacture, an explanation of the type or model of motor vehicle to which each plant is designed to be fitted and a copy of the instructions which he proposes to issue for the guidance of the person using the plant.

(2) If so required by the Board, a person who has made an application under sub-rule (1) of this rule shall—

(a) submit a model of the charcoal gas plant to such tests in such laboratory or workshop and by such person as the Board may specify, and

(b) provide at his own expense a vehicle fitted with the charcoal gas plant for such tests on the road as the Board may specify.

(3) After considering the papers submitted and subjecting the model charcoal gas plant to such tests as the Board deems suitable, the Board may at its discretion grant or refuse the application, and if it decides to grant the application shall issue a certificate to the applicant showing that he has been approved as a manufacturer of charcoal gas plants of a type or types to be specified in the certificate.

(4) Before according approval to any type or design of charcoal gas plant the Board shall satisfy itself that the design and construction proposed are in accordance with the provision of these rules and in particular that—

- (a) the design is reasonably simple and suitable to the type of vehicle for which it is intended and is such that it can be fitted to the vehicle in such a way that the driver's vision and control of the vehicle are not impeded, the convenience and safety of passengers is not endangered, the weight of the charcoal gas plant can be reasonably distributed over the chassis, and the filters, coolers, pipes and other parts requiring frequent cleaning and attention can be fitted in readily accessible places;
- (b) the effective capacity of the generator, hopper and filters is sufficient to provide fuel to propel the vehicle for a distance of not less than fifty miles without recharging the hopper or cleaning the filters;
- (c) the charcoal gas plant is capable of providing gas to propel the vehicle by the gas alone along a level road with its full lawful load at a sustained rate of speed not less than—
 - (i) in the case of goods vehicle not being a heavy transport vehicle, twenty miles an hour;
 - (ii) in the case of goods vehicle being a heavy transport vehicle, fifteen miles an hour;
 - (iii) in any other case, twenty-five miles an hour;
- (d) the materials and methods of construction specified by the applicant are save as otherwise declared by the applicant, calculated to withstand fair wear and tear for a period of not less than two years under the normal conditions of working;
- (e) the plant is so designed as to cause no undue wear to the engine.

(5) It shall be a condition of every certificate issued under sub-rule (3) of this rule that the holder of the certificate shall in respect of every charcoal gas plant issued from his factory supply to the prospective user a set of instructions in terms approved by the Board for the working of the charcoal gas plant.

(6) Notwithstanding anything in this rule the Board may direct that any person who has been approved as a manufacturer of charcoal gas plants in any other Province or State in India shall be deemed to be an approved manufacturer for the Delhi Province subject to the conditions in force in the Province or State in which the person was first approved as a manufacturer and to such further conditions as the Board may think fit to impose.

5. On or after the first day of June 1942 no person shall drive a motor vehicle, and no prohibition on the holder of a permit shall allow the vehicle to which the permit use of charcoal gas relates to be driven, with a charcoal gas plant affixed thereto plants not made by an unless the charcoal gas plant has been made by a manufacturer approved manufacturer, approved by the Board under rule 4 of these rules: and has been specified by the manufacturer as being of a type suitable for use on the motor vehicle to which it is fitted:

Provided that the Board may by general or special order give premission for any charcoal gas plant which was in use on a motor vehicle before the first day of June, 1942, to continue to be used on that vehicle even though it was not manufactured by a person approved by the Board under rule 4 of these rules.

6. (1) No person shall drive any motor vehicle, and no holder of a permit shall allow the motor vehicle to which the permit relates to be driven with a charcoal gas plant affixed thereto unless the requirements set forth in the Schedule to these rules are fulfilled in respect of the said plant and the vehicle to which it is fitted.

(2) The driver or other person in charge of a motor vehicle to which a charcoal gas plant is fitted shall not—

- (a) at any time when there is fire in the generator, cause or allow the vehicle to stop or remain stationary at a distance of less than ten yards from any other motor vehicle or less than twenty yards from any petrol pump or place where petrol is supplied in tins;
- (b) at any time when there is fire in the generator, pour petrol or cause or allow petrol to be poured into the petrol tank;
- (c) carry or cause or allow to be carried in the vehicle (save in the regular petrol tank thereof) any petrol or other inflammable or explosive substance;
- (d) clean or rake out the generator at any appointed bus stand or stopping place or within a distance of less than twenty yards from any other motor vehicle or cause or allow the same to be done by any person;
- (e) where a park, bus stand, or halting place or a part of a park, bus stand or halting place is set apart for vehicles fitted with charcoal gas plants, allow the vehicle to stop or remain stationary in any other park, bus stand or halting place or other part thereof, as the case may be;
- (f) place the vehicle or cause or allow it to be placed in any garage or shed unless the garage or shed is provided with a permanent opening or openings for sufficient ventilation other than doors and windows that may be closed.

Conditions under which charcoal gas plants may be used.

7. Nothing in these rules shall prohibit the use in the Delhi Province of a charcoal gas Reciprocity with plant on a motor vehicle which is registered in the Punjab or the other Provinces or United Provinces or any other Province or State to which the States. Under Commissioner may extend the applicability of this rule, provided that the requirements of the rules in force in the Province or State where the motor vehicle is registered in respect of the use of charcoal gas plants are fulfilled.

SCHEDULE

I. Every charcoal gas plant must conform to the following general specifications:—

- (a) All pipes, joints, valves, and all covers to the hoppers, generators, cooling chambers, filters and other accessories shall be free from gas or airleaks.
- (b) If an escape funnel is fitted to the generator for use during the blowing of air through the generator, the mouth of the funnel shall be placed above the level of the roof of the vehicle.
- (c) The materials for the construction of generators including hoppers and outer shells if any, shall be of mild steel sheet and shall not be less than No. 16 B. W. G. (0.065 in. thick) with the exception that in the case of any updraft generators in which no refractory lining is used, the fire-box shall be constructed of mild steel sheet not less than 11 B. W. G. (0.120 in. thick) for a distance of twelve inches above the grate or to the top of the gas offtake, whichever is less. In the case of crossdraft generators, where no refractory lining is used, the distance from the mouth of the tuyere to any part of the shell shall not be less than five inches. All generator cover and generator flange joints shall be made of heat-resisting material.
- (d) The material from which coolers are made shall be mild steel, copper or brass sheet not less than 18-B. W. G. (0.049 in. thick). All coolers must be made so that they can be readily cleaned.
- (e) The gas filtering system shall be in not less than three stages, of which the last stage shall be felt or other approved fabric, provided that the Chief Commissioner may by notification approve any filtering system. The materials from which filter casings and all gas piping up to the mixing chamber or carburettor are made shall not be less than No. 18-B. W.G. (0.049 in. thick). All filters shall be so placed as to be accessible to cleaning at all times.
- (f) Flanges fitted to piping shall be made of material not less than No. 11-B. W. G. (0.120 in. thick). Each flange shall be secured by not less than four bolts.

II. (1) No part of any charcoal gas plant shall be so placed as to reduce the field of vision of the driver by means of the mirror prescribed in rule 5.7 of the Delhi Motor Vehicles Rules, 1940, or otherwise, or so as to impede the driver in his control of the vehicle.

(2) In a public service, vehicle—

- (a) no part of the charcoal gas plant shall be placed within the passengers compartment, and
- (b) the generator shall be centrally placed in rear of the passengers compartment, either completely outside it or recessed into the rear panel, and shall be insulated and have the clearance prescribed in paragraph III of this Schedule:

Provided that the generator and a reserve of fuel not exceeding one hundred and fifty pounds in weight may be carried on a trailer attached to a public service vehicle.

(3) No public service vehicle fitted with a charcoal gas plant shall have any opening or door at the rear of the vehicle.

(4) In a transport vehicle other than a public service vehicle the generator shall not be placed forward of the rear of the driver's cab and shall be insulated and have the clearance prescribed in paragraph III.

III. (1) On any motor vehicle, if any part of the generator is so placed as to be within a distance of six inches in a horizontal plane from any part of the vehicle, the vehicle shall be insulated from the generator by a sheet of asbestos one-eighth of an inch thick, or by such other insulating material as the Board may by general or special order in writing specify in this behalf, not being less in height than the height of the generator (including the hopper) and of such a width as—

- (a) where the generator is recessed, to line completely the recess; and
- (b) where the generator is not recessed, to project for a distance of not less than six inches on either side of the generator.

(2) No part of a generator shall have a clearance between it and the insulating material prescribed in sub-paragraph (1) of this paragraph of less than two inches.

IV. (1) In the case of a goods vehicle the generator may be placed centrally at the rear of the vehicle as prescribed for a public service vehicle or behind the driver's cab.

(2) When the generator is placed behind the driver's cab it shall be adequately enclosed in a separate compartment, and no goods shall be carried in that compartment.

V. No generator and no pipe connecting the generator to the gas filters shall be so placed that any part of the generator or pipe is within a distance of less than—

- (a) two feet from any part of the petrol tank, or
- (b) four feet from the filling point or orifice of the petrol tank:

Provided that if the filling point or orifice is screened from the generator by an adequate partition, clause (b) shall not apply in relation to the generator.

VI. Every part of the charcoal gas plant shall be firmly and securely fixed in place, and all pipes valves, joints, hopper lids or covers shall at all times be maintained in a gas-tight condition.

VII. Where water is used, either for injection, or for cooling tuyeres, it shall be provided from a source other than the engine cooling system, and shall not be in circuit therewith.

A. V. ASKWITH,

Chief Commissioner, Delhi.

Office of the Chief Commissioner, Delhi, Notification, dated Delhi, the 8th June, 1942.

No. F.-12 (36)/42-General—In exercise of the power conferred by sections 21 and 41 of the Motor Vehicles Act, 1939, read with the Notification of the Government of India, in the Department of Communications, No. R.-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following rules, the same having been previously published with his Notification-No. F. 12 (36)/42-General, dated the 10th April, 1942.

Rules.

1. Notwithstanding anything contained in the Delhi Motor Vehicles Rules, 1940, no fee shall be charged for the issue or alteration of certificates of registration relating to motor vehicles which are the property of the Personal Representative in India of the President of the United States of America and his staff.

2. If the Personal Representative in India of the President of the United States of America or any member of his staff has paid or shall hereafter pay a fee for the issue or renewal of a licence to drive a motor vehicle or for undergoing a test of competency to drive the fee shall on his application be refunded to him.

A. V. ASKWITH,

Chief Commissioner, Delhi.

Orders by the Chief Commissioner, Ajmer-Merwara, Notification, dated Abu, the 25th May, 1942.

No. F./14-6-III.—The Chief Commissioner is pleased to make the following amendment in the Ajmer-Merwara Motor Vehicles Rules, 1940, published with his Notification No. 1141/34-W./38-III, dated the 12th June, 1940, the amendment having been previously published in this Administration's Notification No. F./14-6-III, dated the 4th April 1942.

In rule 5-56 (a) of Chapter V—Construction, Equipment and Maintenance of Motor Vehicles—for the figure and words "225 pounds in weight unladen" substitute the figure and words "1100 pounds in weight laden".

By Order,

M. WORTH,

*Secretary to the Chief Commissioner,
Ajmer-Merwara.*

Orders by the Chief Commissioner, Ajmer-Merwara, Notification, dated Abu, the 13th July, 1942.

No. F./14-6-III.—The Chief Commissioner is pleased to make the following addendum in the Ajmer-Merwara Motor Vehicles Rules, 1940, published with his Notification No. 1141/34-W./38-III, dated the 12th June, 1940, the addendum having been previously published in this Administration's Notification No. F./14-6-III, dated the 4th April 1942.

Chapter IV—Control of Transport Vehicles. After clause (b) of rule 4-18 insert the following new clause—

"(c) that the holder of a permit of a stage carriage shall, if required, carry mails at such rates as may be fixed by the Provincial Transport Authority in consultation with the Postal Authorities concerned."

By Order,

M. WORTH,

*Secretary to the Chief Commissioner,
Ajmer-Merwara.*

AMENDMENTS TO CERTAIN MOTOR VEHICLES RULES.

Sir Gurnath Bewoor (Secretary, Posts and Air Department): Sir, I lay on the table a copy each of:

- (i) Notification, No. F. 12(39)/42-General, dated the 4th July, 1942, issued by the Chief Commissioner, Delhi, under Sections 21 and 41 of the Motor Vehicles Act, 1939;

- (ii) Notification, No. A-3-2606/42, dated the 10th September, 1942, issued by the Chief Commissioner of Coorg, amending the Coorg Motor Vehicles Rules, 1940; and
- (iii) Notification, No. A-3-3276/42, dated the 8th December, 1942, issued by the Chief Commissioner of Coorg, amending the Coorg Motor Vehicles Rules, 1940.

Office of the Chief Commissioner, Delhi, Notification, dated Delhi, the 4th July, 1942.

No. F.-12 (39)/42-General.—In exercise of the power conferred by sections 21 and 41 of the Motor Vehicles Act, 1939, read with the Notification of the Government of India, in the Department of Communications, No. R.-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following rules, the same having been previously published with his Notification No. F. 12 (39)/42-General, dated the 29th April, 1942.

Rules.

1. Notwithstanding anything contained in the Delhi Motor Vehicles Rules, 1940, no fee shall be charged for the issue or alteration of certificate of registration relating to motor vehicles which are the property of the Commissioner of China to India and his staff.

2. If the Commissioner of China to India or any member of his staff has paid or shall hereafter pay a fee for the issue or renewal of a licence to drive a motor vehicle or for undergoing a test of competency to drive, the fee shall on his application be refunded to him.

A. V. ASKWITH,
Chief Commissioner, Delhi.

The Chief Commissioner of Coorg, Notification, No. A-3-2606/42, dated Mercara, the 10th September, 1942.

In exercise of the powers conferred by section 70 of the Motor Vehicles Act, 1939, (IV of 1939) and the notification of the Government of India, Department of Communications No. R.-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendment to the Coorg Motor Vehicles Rules, 1940, issued with his notification No. R. F.-43/121-39, dated the 26th March, 1940.

Amendment.

After rule 157 (b) of the said rules, the following rule shall be inserted, namely:—

“157. (c) The driver of every motor vehicle which is fitted with a producer shall extinguish any live cinders removed from such producer in any public place.”

Explanation :—In the rule the term “producer” shall have the meaning assigned to it in rule 148-A.

J. W. PRITCHARD,
Chief Commissioner.

The Chief Commissioner of Coorg, Notification, No. A-3-3276/42, dated Mercara, the 8th December, 1942.

In exercise of the powers conferred by sections 21, 48 (d), read with section 68 (z) and (za) and 70 of the Motor Vehicles Act, 1939 (IV of 1939), and the notification of the Government of India, Department of Communications, No. R.-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following amendments to the Coorg Motor Vehicles Rules, 1940, issued with his notification No. R. F.-43/121-39, dated the 26th March, 1940 :—

Amendments.

- I. For Rule 20 of the said rules, the following rule shall be substituted :—

“20. (a) The holder of a licence entitling him to drive as a paid employee or to drive a public service vehicle shall, except in the case of a temporary absence not involving a change of residence for a period exceeding three months, report any change of his temporary, or permanent address, as notified on the licence at any Police station and produce the licence at the Police Station in order that the new address may be entered therein.

“(b) The officer-in-charge of the Police Station at which the licence is produced shall enter therein the new address and communicate the new address to the licensing authority by which the licence was issued and to the licensing authority by which it was last renewed.”

11. For Rule 56 (c) of the said rules, the following rule shall be substituted :—
 "56. (c) The Provincial Transport Authority may attach to a stage carriage permit the condition that the carriage or service of carriages in respect of which the permit is granted shall carry mails at such rates as that authority may, in consultation with the Postal Authorities, fix in that behalf from time to time."
- III. For Rule 119 (a) (v) of the said rules, the following rule shall be substituted :—
 "119. (a), (v). Subject to the exceptions mentioned below every stage carriage shall have a body of the saloon type :—
Exceptions.—This rule shall not apply to any stage carriage registered in the Province of Coorg on or before the first day of October, 1942, or to any stage carriage registered on or before that date outside the said Province which has subsequently been acquired by a dealer in the said Province in part exchange for a new vehicle, or has been seized by a dealer in the said Province for default in payment of hire purchase dues."
- IV. Rules 148A to 148M :
 (1) In the heading to rules 148A, to 148M, of the said rules for the words "Motor Vehicles" the words "Motor vehicles other than motor cars" shall be substituted.
 (2) In rule 148B, of the said rules for the words "motor vehicle" the words "motor vehicle other than motor car" shall be substituted.

J. W. PRITCHARD,
Chief Commissioner.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I present the Report of the Select Committee on the Bill further to amend the Indian Railways Act, 1890.

PAPERS CONNECTED WITH THE CEYLON GOVERNMENT'S REQUEST FOR ADDITIONAL INDIAN LABOUR FOR CEYLON.

The Honourable Mr. M. S. Aney (Member for Indians Overseas): With the permission of the Honourable the President I lay on the table of the House the following papers connected with the Ceylon Government's request for additional Indian labour for Ceylon:

1. Telegram from His Excellency the Governor of Ceylon, dated the 8th December, 1942.
2. Statement by the Government of India which will also be laid on the table of the Ceylon State Council.

I. Copy of telegram No. 00016, dated the 8th December, 1942, from Governor of Ceylon, Colombo, to Governor General, New Delhi.

Adequate supply of estate labour is under urgent consideration by Board of Minister(s) with special reference to production of rubber and Ceylon's basic quota represents 85 per cent, of production left in the control of the allied nations. In these circumstances Ceylon must resort to most intensive tapping possible including slaughter tapping in order to increase production to at least 30 per cent, above basic quota. This will entail the employment of additional labour during the war and less than normal amount of labour after the war when areas have been exhausted. Estates are also required by law for period of war to produce food stuffs in addition to plantation commodity and this also requires abnormal *ad hoc* increase in labour force. Demands on local labour for military units, defence works essential services and rural food production have been and are very heavy and consequently there is no surplus available for diversion to estates. Production of tea must not be allowed to decrease below present necessary level. It will be realised that now that Indian ban on emigration has been relaxed in respect of labourers now in this Island there is likely to be usual exodus on holidays to India during early months of next year. In these circumstances Board of Ministers has asked me to ascertain whether Government of India notwithstanding their ban on emigration to Ceylon of un-skilled labour other than labourers already in the Island would consider special recruitment of labour to meet present war emergency on the following points: (a) Pay and conditions of employment identical with those of other Indian labour; (b) repatriation to India at the end of the war or other period stipulated by agreement. Board of Ministers consider arrangement on these lines to be right one to meet position with which they are confronted which is that (a) demand for extra estate labour is abnormal and only temporary although essential to

prosecution of the war and (b) status of Indians in Ceylon is one of the questions which at the request of the Indian Government has been postponed for consideration at a future undetermined date. Grateful for earliest possible reply to this telegram in order that if your Government approves principle of recruitment on the lines proposed, details of method and machinery may be immediately worked out in consultation between our two administrations through Ceylon's newly appointed representative in India. Paramount essentiality of maximum production of our plantation crops especially rubber to supply position of Allied Nations has caused me to head this telegram "Most Immediate".

II. Statement.

The Government of India have communicated to the representative of the Ceylon Government certain proposals which are still under consideration.

ELECTION OF A MEMBER TO THE COMMITTEE ON PUBLIC ACCOUNTS.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That the non-official Members of the Assembly do proceed to elect in the manner required by rule 51 of the Indian Legislative Rules a member to be member of the Committee on Public Accounts in place of the late Mr. J. Ramsay Scott."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the non-official Members of the Assembly do proceed to elect in the manner required by rule 51 of the Indian Legislative Rules a member to be member of the Committee on Public Accounts in place of the late Mr. J. Ramsay Scott."

The motion was adopted.

ELECTION OF A MEMBER TO THE STANDING COMMITTEE FOR THE POSTS AND AIR DEPARTMENT.

Sir Gurunath Bewoor (Secretary, Posts and Air Department): Sir I move:

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, a non-official Member to serve on the Standing Committee to advise on Subjects other than 'Roads' dealt with in the Department of Posts and Air, during the financial year 1942-43, in the vacancy caused by the death of Mr. J. Ramsay Scott."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, a non-official Member to serve on the Standing Committee to advise on Subjects other than 'Roads' dealt with in the Department of Posts and Air, during the financial year 1942-43, in the vacancy caused by the death of Mr. J. Ramsay Scott."

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I want to make some observations. I am a member of this Advisory Committee, but it hardly meets during the year or during the Session. The only important thing which should have been put before it is the piece of legislation which is just going to be introduced.

Mr. President (The Honourable Sir Abdur Rahim): The only question is whether somebody is to be appointed in place of Mr. J. Ramsay Scott or not.

Maulvi Muhammad Abdul Ghani: I am placing before you my legitimate grievance. The Committee never meets and never transacts any business. The only business it has to be consulted on is a Bill which is going to be introduced by the Government, regarding the Government Savings Banks Act, 1873, and the Post Office Cash Certificates Act, 1917 and on that too the Committee could not be consulted before its introduction.

An Honourable Member: It is not before the House.

Maulvi Muhammad Abdul Ghani: But it is just going to be introduced and is on our table. This Committee should have been consulted before. What is the use of having such a Committee or electing members to it, if the Committee never meets. I am, therefore, opposed to the election of members to this Committee, which never functions.

Sir Gurunath Bewoor: Sir this House elected a Standing Advisory Committee for the Posts and Air Department during the last Session. Prior to that the Standing Advisory Committee has always met at least once a year and sometimes twice a year. In the current year there has been no occasion to meet because this Committee was only elected in the last Session. There was no Committee before for this particular Department, and the Advisory Committee will meet as soon as there are any subjects on which its advice is desired.

by the Department.' The Honourable Member is wrong in thinking that there is only one item in which the Committee is to be consulted. Actually, there are five items, of which notice has been sent to the Members. The motion is only to replace a Member who unfortunately died during the course of the year.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That this Assembly do proceed to elect in such manner as the Honourable the President may direct, a non-official Member to serve on the Standing Committee to advise on Subjects other than 'Roads' dealt with in the Department of Posts and Air, during the financial year 1942-43, in the vacancy caused by the death of Mr. J. Ramsay Scott."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of a Member each for the Committee on Public Accounts and the Standing Committee for the Department of Posts and Air, the Notice Office will be open to receive nominations up to 12 O'clock on Thursday, the 11th February, and that the elections, if necessary, will be held on Monday, the 15th February, 1943. The elections, which will be conducted in accordance with the principle of proportional representation by means of the single transferable vote will be held in the Assistant Secretary's Room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M.

THE CRIMINAL PROCEDURE AMENDMENT BILL.

The Honourable Sir Sultan Ahmed (Law Member): Sir, I move for leave to introduce a Bill to make certain provision for appeals in criminal cases tried by a High Court exercising original criminal jurisdiction.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to make certain provision for appeals in criminal cases tried by a High Court exercising original criminal jurisdiction."

The motion was adopted.

The Honourable Sir Sultan Ahmed: Sir, I introduce the Bill.

THE MOTOR VEHICLES (AMENDMENT) BILL.

Sir Gurnath Bewoor (Secretary, Posts and Air Department): Sir, I move for leave to introduce a Bill further to amend the Motor Vehicles Act, 1939.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Motor Vehicles Act, 1939."

The motion was adopted.

Sir Gurnath Bewoor: Sir I introduce the Bill.

THE GOVERNMENT SAVINGS BANKS (AMENDMENT) BILL.

Sir Gurnath Bewoor (Secretary Posts and Air Department): Sir, I move for leave to introduce a Bill further to amend the Government Savings Banks Act, 1873 and the Post Office Cash Certificates Act, 1917.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Government Savings Banks Act, 1873, and the Post Office Cash Certificates Act, 1917."

The motion was adopted.

Sir Gurnath Bewoor: Sir, I introduce the Bill.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

The Honourable Sir Jeremy Baisman (Finance Member): Sir, I move:

"That the Report of the Public Accounts Committee on the Accounts of 1940-41 be taken into consideration."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Report of the Public Accounts Committee on the Accounts of 1940-41 be taken into consideration."

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): We were promised on the termination of the Committee that evidence would be shown to the Members of the Public Accounts Committee. But I am sorry to inform the House through you and through the Honourable Member that the evidence and the papers were not even placed yesterday on the floor of the Library. It was absolutely impossible for any member of the Public Accounts Committee or any Member of this Honourable House, so far as I know, to therefore see the papers. Though we have had to come here early in the morning, we have not been able yet to know what those papers are and what they contain. In that case, I would request the Honourable Member to postpone it to some other day so that we can discuss the report fully.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Only the evidence is submitted.

The Honourable Sir Jeremy Raisman: The publication of the evidence is a matter which, in my opinion, is not absolutely essential to the discussion of this report. The report contains all the material necessary for the Members of this House to discuss. Owing to the shortage of paper it was decided, I think, by the Committee that no attempt would be made this year to publish a volume of evidence. It has been recognised that the evidence volume could not be a verbatim record of what actually takes place in the Committee owing to the difficulties of reporting those proceedings. But in any case, I think, it was intended that a typewritten copy of the evidence would be placed in the Library of the House and would be available to Honourable Members. I am not aware myself whether, and if so, why, that was not done in due time.

Mr. President (The Honourable Sir Abdur Rahim): Is a copy of the evidence before the House?

The Honourable Sir Jeremy Raisman: It has been placed in the Library.

Mr. President (The Honourable Sir Abdur Rahim): When was it placed in the Library?

Mr. Muhammad Azhar Ali: To-day at 11 A.M.

The Honourable Sir Jeremy Raisman: This particular report has not, since the war began, excited the attention of Members. It has always been an extremely difficult matter to find any place for it in the programme. I am quite prepared to withdraw it if Honourable Members do not feel that they are ready to discuss it today. But I must make it clear that the responsibility for giving the House an opportunity to discuss this report will not rest with me.

Sir Muhammad Yamin Khan: The Honourable the Finance Member in his speech just now mentioned that an understanding was arrived at that the evidence would be placed in the Library. I presume that he meant that the debate would take place after the evidence was available to the Members of this House, and as it was not placed in the Library till 11 O'clock, I am sure the Honourable the Finance Member will realise that the responsibility is not on anybody else but on his Department which did not supply this evidence, in spite of his undertaking given to the Public Accounts Committee. In the circumstances, I hope he will revise his decision about the ultimate responsibility for getting a debate on this report, as Members only want to assert their right on the undertaking given by him.

The Honourable Sir Jeremy Raisman: If this were the first occasion on which this particular discussion was being postponed, I should have recognised some force in the fact that the actual evidence was not placed in the Library any earlier than it was. If Honourable Members desire it to be postponed. I am quite prepared.

Mr. President (The Honourable Sir Abdur Rahim): I take it that that will meet the desire of the Members.

(The House concurred.)

The Honourable Sir Jeremy Raisman: Sir, I submit that there is one matter which requires formal regularisation in connection with the Public Accounts Committee Report

Mr. President (The Honourable Sir Abdur Rahim): Excess Grants.

DEMAND FOR EXCESS GRANTS FOR 1940-41.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That an excess grant of Rs. 17,432 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted grant in the year 1940-41, in respect of 'Salt'."

Dr. P. N. Banerjea (Calcutta Suburbs : Non-Muhammadan Urban): What should we discuss? We have not got any papers.

Mr. President (The Honourable Sir Abdur Rahim): I understand the papers were supplied to Honourable Members at their residences.

Sir Muhammad Yamin Khan (Agra Division : Muhammadan Rural): I don't think. The practice has been, whatever the agenda of the House, all papers are laid on the table in the House.

Mr. President (The Honourable Sir Abdur Rahim): That is in accordance with the circular that has been sent to Honourable Members.

Dr. P. N. Banerjea: This is connected with the report of the Public Accounts Committee.

Mr. President (The Honourable Sir Abdur Rahim): Yes, I know. This circular that has been addressed to all Honourable Members is:

"I am directed to state that according to the existing practice one copy of the booklet relating to Demands for Supplementary Grants is circulated to the Honourable Members along with the List of Business in which the Supplementary Demands find a place, while another copy is supplied to each Honourable Member in the House on the day the Demands come up for discussion. In view, however, of the imperative need for economy in paper and printing, the Honourable the President has, on the request of the Finance Department, reconsidered the practice and decided that in future only one copy of the booklet should be supplied to Honourable Members along with the List of Business in which the Demands for Supplementary Grants appear and that copies should not be placed again on their desks in the House on the day the Supplementary Demands are taken up. The Honourable Members will, therefore, be supplied in future with only one copy of the booklet which they will be expected to bring with them to the House for reference, if necessary."

I don't know whether Honourable Members read it or not.

Sardar Sant Singh (West Punjab : Sikh): May I submit, Sir, so far as this particular copy is concerned, I speak for myself only; I do not know the feelings of other Honourable Members in this respect, a copy has been sent to our home addresses. But I have not been able to get a copy at all.

Dr. P. N. Banerjea: I, also have not got a copy.

Sardar Sant Singh: I now understand that copies have been sent to Honourable Members at their home addresses.

Mr. President (The Honourable Sir Abdur Rahim): To the addresses which were given by the Honourable Members themselves.

Sardar Sant Singh: Copies have been sent at home addresses, while we are coming here.

Dr. P. N. Banerjee: Does that circular relate to the last Session or this Session?

Sir Cowasjee Jehangir (Bombay City : Non-Muhammadian Urban) : May I ask when these copies were circulated—last Session or this Session?

Mr. President (The Honourable Sir Abdur Rahim) : They were sent to the addresses of Honourable Members on the 30th of January, I understand.

Babu Baijnath Bajoria (Marwari Association—Indian Commerce) : We have received only this sheet—no booklet has been supplied to us.

Mr. President (The Honourable Sir Abdur Rahim) : That is all that was to be circulated, I understand.

Babu Baijnath Bajoria: It does not give the particulars for which this amount has been spent.

The Honourable Mr. M. S. Aney (Member for Indians Overseas) : That is to be found in the Public Accounts Committee's Report.

Dr. P. N. Banerjee: That is what I was pointing out; when we take the Public Accounts Committee Report into consideration, that will be the proper time for discussing these grants.

The Honourable Sir Jeremy Raisman: In the past, the House, while postponing the debate on the Report of the Public Accounts Committee, used to get rid of the formal business of regularising the excess grants on the first day on which an attempt was made to discuss the Report itself; and I do suggest that in order that the accounts may be in order, this formal regularisation, which has been recommended in every case by the Public Accounts Committee, should now be given.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions : Muhammadian Rural) : May I point out our difficulty? If this thing is accepted the Government may or may not fix a date for the discussion of the Public Accounts Committee Report. But if this is held over, the Government will be forced to give a date for that.

The Honourable Sir Jeremy Raisman: The pressure always comes from this side, not from the other.

Mr. T. Chapman-Mortimer (Bengal : European) : Is this matter really connected with the discussion of the Public Accounts Committee's Report Proceedings for 1940-41? These matters can be taken up separately. I should like to support the Honourable the Finance Member in this matter, because he is going to have an extremely busy session; and the Honourable Member for War Transport is also going to face an extremely busy session, and when I say they are, we are. Very important subjects are coming up and if we are going to refuse to discuss this matter today, it is very difficult to say when we shall be able to discuss them at all, until perhaps the very end of the Session.

Mr. President (The Honourable Sir Abdur Rahim) : Does the Honourable the Finance Member want that the motion for the grants should be taken up now?

The Honourable Sir Jeremy Raisman: Yes, Sir. I submit that it will be reasonable to dispose of this matter today and merely postpone the debate on the report to a later date.

Sir Muhammad Yamin Khan: How can the Members proceed if they have got no copies before them?

Mr. President (The Honourable Sir Abdur Rahim) : I understand a copy of the evidence has been placed in the Library. The report has been sent before and is in the hands of all the Members.

Sir Muhammad Yamin Khan: Whatever might have happened, the fact remains that no Member seems to have got any copy of the proposals before us. This is a fact; and no copy has been laid on the table here. It will therefore be a one sided show only—the Honourable the Finance Member getting up and saying so much should be regularised and the House merely saying "All right"; if the Honourable the Finance Member merely wants that, we have got no objection. But if he wants us to give our intelligent opinion, then he should take this up some other day.

Sir Cowasjee Jehangir: On the facts placed before the House, I understand that along with the agenda there was a slip of paper—it was only a slip of paper with the figures on it that was circulated yesterday. I understand also that a booklet was circulated some time ago giving further details. Are these facts correct or are they not correct?

Mr. President (The Honourable Sir Abdur Rahim): Booklet means this report of the Public Accounts Committee or any other booklet? These are all the papers. That is what I understand from the office.

Sir Cowasjee Jehangir: Have we got all the papers circulated necessary for the discussion of this matter?

Mr. President (The Honourable Sir Abdur Rahim): I do not know. I understand that as a matter of fact the Finance Department only supplied this paper which was circulated by the office.

Sir Muhammad Yamin Khan: The difficulty we are feeling is this: what is the amount the Finance Member wants us to vote and on what grounds? That is not to be found either in the papers before us or in the circular. We do not know where to hunt this up. We should have the particulars, these details are generally given by the department and that is what we are lacking.

The Honourable Sir Jeremy Raisman: The position is that the explanation of these excesses and the recommendation of the Public Accounts Committee in regard to them is made in the report of the Committee, and the only thing that Members are furnished with, as far as I am aware, is a statement of the actual excesses which are due to be regularised. However, if the House prefers it, I am prepared to agree that these excesses also may be taken up at a later date.

Sir Muhammad Yamin Khan: I would request the Honourable Member that for the convenience of the House, it should not be left to the Members to search out the figures, but something should be placed before us, giving the figures and some details and it should not be left to us to search out the figures from the report.

The Honourable Sir Jeremy Raisman: A brief summary is given in the report itself.

Sir Muhammad Yamin Khan: If it is pointed out here—page so and so—it will be helpful.

The Honourable Sir Jeremy Raisman: These items are given in the list.

Mr. President (The Honourable Sir Abdur Rahim): Very well. The motions will stand over to a later date when the Public Accounts Committee's Report will be discussed?

The Honourable Sir Jeremy Raisman: Yes.

Mr. President (The Honourable Sir Abdur Rahim): That finishes the agenda. Adjournment Motion. Is it the desire of the House that the Adjournment Motion should be taken up after the Lunch adjournment?

Some Honourable Members: Now, now.

Mr. President (The Honourable Sir Abdur Rahim): Very well. It is understood that the discussion will last only two hours, as usual.

Dr. P. N. Banerjee: I hope the Lunch interval will not be included in the two hours.

Mr. President (The Honourable Sir Abdur Rahim): Certainly not. The Honourable Member need not be afraid of that.

MOTION FOR ADJOURNMENT.

SHORTAGE OF SMALL COINS.

Babu Baijnath Bajoria: Sir, I move:

"That the Assembly do now adjourn."

I take this early opportunity of drawing the attention of the Honourable the Finance Member to the serious situation which has been created in this country by the shortage of small coins. It is an every day occurrence, in fact, an hourly occurrence, with every one of us—the difficulties we are feeling in respect of small coins. We do not know whether the minting capacity has increased or decreased. We do not know, if the minting capacity has increased, where these minted small coins go. But the fact remains that we in our ordinary daily life do not get any small coins. As regards pice, the old pice

I P. M. has almost evaporated. The Honourable the Finance Member will say that it has been melted or hoarded. I have not much proof of it but I should like to hear from the Honourable the Finance Member what he has to give in proof. As regards pice, all I can say is that we cannot see the old pice at all.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Gone out of circulation.

Babu Baijnath Bajoria: I have got this idea that it is the Honourable the Finance Member or his department that has hoarded all those old pice. They have melted the old pice for the purpose of bringing out small washers.

The Honourable Sir Jeremy Ralsman: No.

Babu Baijnath Bajoria: These new pice resemble small copper washers.

An Honourable Member: Where are they?

Babu Baijnath Bajoria: I have seen one or two of them, but that also is not available. I am now telling you about hoarding by the Government and the Government departments. I do not know what happens to the large amount of coins that are being given at each railway station and in the posts and telegraphs offices. I happened to go to a station to give a telegram, the cost of which was thirteen annas. The man said, "I have got no change. Either give me a rupee or you can go without sending a telegram." I had to give that rupee, because I did not have the change.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Where did the three annas go?

Babu Baijnath Bajoria: You must have read in the newspapers about the experience of a Councillor of the Calcutta Corporation in the Tramway case where he was taken from place to place to be given two or three pice which was due to him out of a two anna coin which he gave. He was taken first to the High Court, then from place to place, and at last he was not given the pice. The Councillor had to file a case. I say that the railway people, the posts and telegraphs people and the Government departments, whenever they get small coins, do not part with them. I hope the Honourable the Railway Member and the Honourable the Finance Member will make searching enquiries about these things. Once in the *Amrita Bazar Patrika* a sensational news was published that the Government of India was minting copper coins for Australia. It created a great sensation amongst everybody in the whole country. A few days later, the Government of India contradicted that statement, but I should like to have a more authoritative answer to this allegation. If it be so, it is a very serious thing. When we are so short of pice or copper coins and small

coins, the Government should not mint small coins for another country, be it a Dominion or the Middle East.

There is another serious consequence of the shortage of small coins. We find it very difficult to pay our workers in factories and our labourers. They generally get below a rupee a day and they have to be paid in small coins, and because small coins are not available, it becomes very difficult to pay them. Coupon systems have been started by some factories, but those coupons are not legal tender outside the particular factories. That is a very crude manner of making payment. I do not think there is much for me to say because inconvenience is being felt by everybody and it is only when we get small coins that we shall be satisfied. Promises we have had enough. What we want is that small coins should be minted in sufficient quantities

Dr. P. N. Banerjee: . . . and put in circulation.

Babu Baijnath Bajoria: . . . and put in circulation, and if there is any case of hoarding it should be punished.

Dr. P. N. Banerjee: With rigorous imprisonment.

Babu Baijnath Bajoria: But, Sir, there should not be punishment merely for the sake of creating an impression. There are one or two cases which have been brought to my notice where for only a few rupees worth of coins persons were sent up for trial. That is not fair. You must judge each case on its own merits, and if there is any real hoarding, if a person wants to keep small coins out of all proportion to his requirements, then and then only he should be punished. Only because you want to create an impression in certain ways and you want to put one or two persons in jail or convict them so that others may be terrorised, that is not the proper way of meting out punishment. With these words, I move my adjournment motion.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Assembly do now adjourn."

Sir Muhammad Yamin Khan: I know that the Government will say that the public are not co-operating with the Government in this respect. It is true that when the fault lies with the Government, a similar fault lies with the public also. The first question that occurs to one is, are the small coins insufficient in this country, or were they insufficient before? If they were not insufficient before the war, where have they disappeared? One answer is that they have been hoarded by some people and they do not want to bring them out into the market and difficulty is felt by others who want to do their daily business. That is quite true, that greater fault lies on the public, on those who are trying to get money hoarded in their houses. But Government cannot be absolved of blame also. What steps have they taken to stop these people from hoarding these coins? I have read of two or three cases in Chandni Chowk, Delhi, where a Ghanawala Halwai or somebody else was caught. Some money-lender the other day was caught who had hoarded small coins to the value of Rs. 9,900 in his shop. If people collect small coins to this extent, they should certainly be punished. I think that nobody should be allowed to have small coins of value more than Rs. 5 or 6 at a time in his house.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): How much change have you got in your pocket?

Sir Muhammad Yamin Khan: I think about less than one rupee worth. But Rs. 4 or 5 or even Rs. 10 change for your daily requirements I do not mind. I may keep Rs. 5 or 6 because when I go to the railway station and have to give less than a rupee I cannot get change. I cannot pay my cooly without change. I know one cooly who told me that one person had engaged one cooly for two or four annas but had to give him one rupee because there was no change and the cooly got one rupee for taking one load to the station platform. This condition has come in. I have heard complaints that people who go in the buses cannot get any change. Sometimes they have found that

[Sir Muhammad Yamin Khan.]

the bus conductor gets change from different people and if one man gives a rupee he never gives the change. He says, "I have got no change. I can take down your name and you can deposit the extra money with me". Why does he not want to give the change when he has been collecting it from some other people? Booking clerks do not give it. It is an open secret. If the Government did not take precaution in time, then it is their fault. The reason was that copper was selling before at the price of a rupee a seer. The price of copper had gone up to Rs. 6 a seer. (An Honourable Member: "No.") Now, it is about Rs. 4 a seer and in 100 pice, you get Rs. 2-8 worth and anybody who can sell it in the market makes money. The copper pices have been melted because the price of copper is higher than the copper in the pice and the Government is expected at least to watch the tendency. If the Government had been alive to the situation and appreciated the fact that the copper coins will be melted, then they should have withdrawn all the pices from the market and they ought to have given one month's notice before the prices went up. Then the pice would have come into the hands of Government but they absolutely failed and therefore the fault lies with the Government because they were slow in taking steps. There is red tapism in all their actions. The remedy is not taken until the disease has become very acute.

The Honourable Sir Jeremy Raisman: Does the Honourable Member suggest that we should have withdrawn all the copper pice in the country?

Sir Muhammad Yamin Khan: They should have withdrawn it. I do not say "now". It ought to have been done long ago.

The Honourable Sir Jeremy Raisman: Will the Honourable Member tell me how I should have withdrawn them?

Sir Muhammad Yamin Khan: You cannot do it now, because the price of copper has gone high. He should have withdrawn when the price was something like Rs. 2 per seer. Everybody would have given it back to him, if it was said that it would not be legal tender. He has withdrawn Queen Victoria coins and coins of Edward VII. They are no longer legal tender and if anybody has got those coins it is because they are worth one rupee in silver. Therefore, he does not want to part with it. You have made George V coins legal tender up to the 5th May. That is giving long latitude. It was a month ago that the price of silver had gone up to Rs. 110 and Rs. 117 to a 100 tolas and by that time every silver coin would have been melted because it would have given the man who melted it a few rupees more. It was known in Calcutta that if you melted 100 pice worth, you could have sold the copper for 135 pice. That was the rumour going abroad. Pices were brought even from Gwalior and other places. When this tendency came in, people began to think that your paper money will be of no worth and that your rupee will not be of any value. Enemy propaganda has been at work that your paper money will be of no value. The Government ought to have noticed this tendency and punished the people who hoarded the coins. They should have made it a cognisable offence and asked the public to co-operate. The policeman must be there too and if you give an inducement to people who give you information, thousands will come forward and you could have confiscated lot of this hoarded money. That would have helped you and the country would have been relieved.

Mr. President (The Honourable Sir Abdur Rahim): I would remind Honourable Members that the debate on this motion has to be concluded at Quarter Past Four.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Syed Ghulam Bhik Nairang (one of the Panel of Chairmen) in the Chair.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I have no desire to detain the House for a very long time on this issue because I think everybody in the House does realise the importance of the subject under discussion and the Government is also alive to the critical situation which has been created by the absence of small coins. The position which I want to envisage is whether the Government does realise why it has so happened? What has happened to the small coins? That is the issue which has got to be seriously considered. There is an impression in the minds of some people that it is the loss of the confidence in the paper currency which is to some extent responsible for this situation. Why people have taken to hoarding? This thing was not experienced during the many years of administration in this country and why should this development arise in this country within the course of the last three or four years? We had about the same feeling or difficulty with the rupee coins till at last we had one rupee paper token given to us to relieve that situation. Unless Government is prepared to come forward with a sufficient number of small coins to remove the impression which might have been wrongly created in the minds of the people, I think the situation will become more serious, particularly in the minds of the people in rural areas who have little or no education and who probably cannot know the real state of affairs. That is a matter, I think, which is more for the Government to consider than for the people.

I do not think it is necessary for me to give illustrations after illustrations to show how the shortage of small coins has affected the public but I can mention one or two instances which I saw myself in Calcutta. In small hotels, where labourers and students used to go, they have hung up advertisements or notices to the effect that unless small coins are given, they will not be served with food, and people had to go back without taking any meals in spite of the fact that they had money with them. This is a situation which has got to be considered seriously by the Government.

Then, there is another issue which the Mover of the motion has pointed out. What is happening to the small coins which are being tendered every day in the Government offices, such as, the post offices, the railway counters, Government treasuries and so on. It may be that the persons in these offices are also taking advantage of these small coins and are having a parallel black market for the use of these coins. Therefore, these things should be seriously gone into and seriously dealt with. This is all that I wanted to point out. The most important thing which I have tried to convey to the House is that Government should be ready to mint more small coins than they were ever in a position to mint because, unless they do that, the feeling which has been created or the temptation of hoarding which has been created in the minds of the smaller people, who cannot hoard thousands of rupees, cannot be removed and the situation will not improve.

Mr. O. P. Lawson (Bengal: European): Sir, I have only very few remarks to make about this motion and, particularly, I want to refer to the remark of my friend, Mr. Nauman, on the question of confidence. He mentioned that possibly lack of confidence in paper money was responsible for this situation to some extent. That, Sir, may be the case, but I contend only to a very small extent. The real cause is general lack of confidence; it is a general lack of confidence in their own safety and in their own general situation. The vicious circle is started when the small shop-keeper ceases to grant *udhar*. He gives no more credit to the small purchaser and the man who usually settled his bills once a week finds himself forced to settle his small bill once per day. You cannot blame the shop-keeper for this. He is not going to give credit to a man who may run away that night and be not there to settle the next day. So, he says, "You must settle on the nail and not once a week". He removes *udhar*. Now, Sir, if you settle your bills once per day instead of once per week, you use up

[Mr. C. P. Lawson.]

just about seven times as much small change in doing so. If you multiply all these cases by several millions, the vicious circle starts.

The next thing that happens is that somebody starts to charge discount in order to give change and that, I suggest, is something which should be jumped on very heavily. I have come across instances in which one anna and sometimes two annas in the rupee has been charged in order to change a rupee.

Now, Sir, beyond that there is the ordinary psychological reaction. When you find yourself unable to purchase what you want because you have not got the change or have found yourself faced with the necessity of having to give your change to the person who sells you the article, your first reaction is to hang on to all the change you can, and I daresay there is not a Member in this Honourable House who has not already been confronted by that situation. Once again multiply each of these cases by a few millions and the situation is well on its way.

Now, Sir, the first necessity is to come upon the cause and the cause is not lack of confidence in paper currency; it is the lack of general confidence. It is the lack of the confidence which enables the small shop-keeper to give the small purchaser some credit. In Calcutta I can say with experience that the situation is very much better. I myself, as a matter of test, proffered an eight-anna piece to a train conductor the other day and was given my full change with the exception of one voucher for a pice. That, to me, shows a very much improved situation and it shows to me that the antidote for this poison has to some extent been provided. If you ask me who has provided that antidote, my answer is the R. A. F. The R. A. F. knocked down 100 per cent. of the planes that came one night, and probably another 100 per cent. that came the next night, and that is the thing that the public has noted and that has led to a return of confidence, that has led to the return of labour and that has led to a return of the pice.

An Honourable Member: That is only in Bengal. What about the whole of India?

Mr. C. P. Lawson: My Honourable friend asks what about the whole of India. I will say at once that the situation I find in Delhi is infinitely worse than the situation in Calcutta. I find less pice in Delhi than I find in Calcutta.

An Honourable Member: It is a poorer city.

Mr. C. P. Lawson: That may be so. I suggest that we get at the root of the matter; that is, by devising measures to get a return of confidence of the public by some substantial means; by getting at the people and making it clear to them that pice are available in abundance and if they hoard the pice, they will not only be punished, but they will lose money. If that can be put over, I think that we may rely upon the R. A. F. to do the rest.

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Mr. Chairman, the shortage of small coins is acute, that is admitted by every one, and even by Government. There is no doubt about that. Public opinion has been expressing itself strongly for a long time past, but no action has been taken. That is also admitted.

The Honourable Sir Jeremy Raisman: No.

Sir Abdul Halim Ghuznavi: The Honourable the Finance Member does not admit it. In other words, he says he has taken action. It boils down to that. I will soon prove that no action has been taken. What was taken was not action; it was inaction. I will prove it later on. This war has been going on since September, 1939, for more than three years. I am an old man. I have had experience of the last Great War. Take for instance what was done in 1940 when there was acute shortage of small coins in Malaya also. How did they solve the problem there? They issued paper currency for even small coins. That is inevitable during war time. That is the way in which to check the hoarding of small coins. Copper is a very valuable material so far as war is concerned. I have often heard it said that people are hoarding small coins. I say

they have not been hoarding, but they have been profiteering in pice. They melt the coin and by the sale of the copper contents, they get double the face value of the coin.

The Honourable Sir Jeremy Raisman: No.

Sir Abdul Halim Ghuznavi: Then what value does he get by melting a coin?

The Honourable Sir Jeremy Raisman: Slightly less than the face value.

Sir Abdul Halim Ghuznavi: If it is slightly less than the face value, it comes to this that they are merely hoarding and not melting. What did you do to prevent hoarding? Prosecution? I say prosecution is no remedy. The remedy is issue of paper currency. How do they face this shortage in Calcutta. As my Honourable friend just now said, in Calcutta, the tramway company, the bus companies, every other public utility service issue one pice coupons. That has eased this situation. That was done in Malaya also in 1940. You should have done the same long ago. Just imagine the position of the poor man in a village. I come from Mynensingh. Look at the plight of the people there. They cannot afford to buy more than one pice worth of foodstuffs at a time, and that pice is not available. They have got double pice, but they cannot get the return of a pice. That is the position to which the Government have reduced the people. The Government say, "No, we have done all we could". In this long war, with the Japanese menace threatening Bengal and its surroundings the Government have not taken a common sense view. The position has been worsening since last April. The Government should have issued paper currency for small coins and dealt with the hoarding earlier. If I can get a pice worth of goods for paper, I do not care whether the fellow hoards or not. He would not have hoarded it if he finds that it is not profitable to him. I have got a substitute for that pice in paper; I get my goods against that paper pice; I do not feel any necessity for copper pice. This course has not been taken. What do we see instead? We got a double pice. That too is no longer in circulation. When this question was being discussed this morning, my Honourable friend, Sir Muhammad Yamin Khan, suggested that the pice coin should have been withdrawn from circulation and when my Honourable friend, the Finance Member, asked him how, he did not reply. You cannot do it now. It is too late. The Government could have withdrawn the pice coin from circulation at the beginning. Now, it is too late. It is no more possible to withdraw it now. It has all gone to the black market or been hoarded. You should have withdrawn it long before and you should have followed the example of Malaya. Malaya was in your possession then. What they did there should have been followed here too. You have substituted a cheap metal coin for the double copper pice. No one feels strongly about that, because we have got something in circulation. But why did you not do that before? That is the grievance and that is what the Honourable Member wanted to bring to the notice of the Honourable the Finance Member.

Pandit Nilakantha Das (Orissa Division: Non-Muhaminadan): Has it been substituted?

Sir Abdul Halim Ghuznavi: Yes. It is in circulation already, and there will be no difficulty now in getting pice coin.

I think the intention of the Honourable Member who moved this motion was to learn from the Honourable the Finance Member what steps he has taken in this connection or what steps he intends to take to relieve the situation created by this shortage, and to bring the news, this coming relief to the masses. It is a poor man's trouble more than a big man's trouble. The poor man now cannot buy anything for a pice because he does not possess it and he cannot get it. It is not intended to treat it as a motion of censure because he only wanted to bring it to the notice of the Government, or, I may say, he wanted to draw the pointed attention of the Government to the problem and also know for himself what steps they have taken and what steps they intend to take.

Mr. Lalchand Navalrai: Sir, we are discussing a matter which has become a disease. (*An Honourable Member:* "Nuisance".) You may call it nuisance but it is really a disease, and a disease not only for the poor or the rich, but for both.

Dr. P. N. Banerjee: Disease of the body politic.

Mr. Lalchand Navalrai: Yes, it is. No one will deny that the disappearance of small coins has caused a very great inconvenience, and it is so much of inconvenience that the Government has connived at or acquiesced in the use of postal stamps as currency in these days. I think legally it is not a currency at all, but the Government has been driven to that necessity of acquiescing in, or not looking at that illegality, and allowing these stamps to be treated as currency. But the points which arise are: (i) Is it a disappearance of coin, or not? (ii) Who is responsible for it? and (iii) What steps are going to be taken to relieve the public of this very great necessity?

Sir, so far as the difficulties are concerned, one can appreciate that the small coins—copper ones—one pie, one pice and two pice coins—were doing a great service, especially to the poor. Now, what has happened? We cannot give to our children a pice which we used to give them, but we have, instead, to give them one anna. That has become the lowest unit. If you go to the railway station and ask for a ticket, the booking clerk says he has no change, and he persists in that. Now, if you want to go somewhere by a tonga, you have first to see whether you have some change in your pocket. If you have not, you have to give a rupee instead of two or four annas.

Sir Cowasjee Jehangir: Will the Honourable Member tell us where he gets a tonga for two annas or four annas?

Mr. Lalchand Navalrai: In smaller places, it is possible to get a *gari* at lower rate. I am not talking of millionaires' quarters, where they do not give less than two rupees to a *gariwala*.

Sir Cowasjee Jehangir: Can the Honourable Member go about anywhere in Delhi for four annas?

Mr. Lalchand Navalrai: Yes. From Western Court to Council House.

Sir Cowasjee Jehangir: You will not be taken now. (*Interruption.*) My Honourable friend says you have great influence over the tongawalas.

Mr. Lalchand Navalrai: It may be. In any case, if the tongawala charges anything less than one rupee, you cannot go in a tonga unless either you have a change in your pocket or you are prepared to give one rupee instead. The point is who is responsible for all this?

Dr. P. N. Banerjee: The Finance Member.

Mr. Lalchand Navalrai: There is a controversy over it. The Government would say that there is hoarding going on of the small coin. They would say that people are melting it and selling it as copper or copper materials. That is one part of the controversy. The other is that the Government is hoarding. The Government has coined a pice and in it we find there is lesser copper than the pice which was previously in circulation. Who has benefited?—The Government. Thus they have been hoarding. It is a clear proof.

The Honourable Sir Jeremy Raisman: Q. E. D.!

Mr. Lalchand Navalrai: That is the way they are hoarding. I submit that that way has been the policy of the Government, and it is not only with regard to copper pice. It is true of silver rupees also. A rupee formerly used to have silver in it worth fourteen annas. Gradually it was reduced to twelve annas. We do not know how much silver is now put in a rupee.

Dr. P. N. Banerjee: Less than eight annas.

Mr. Lalchand Navalrai: As they have done in the case of a rupee, so they do in the case of copper pice, namely, they devalue it. They should tell

us so. No one will prohibit them from doing that, but there should be an honest way of doing it. Now they throw the burden upon the people for hoarding.

So far as the hoarding by people is concerned, I heard my Honourable friend, Sir Yamin Khan, today giving us some evidence—I think he was feeling as if he was in a witness box, but he was not cross-examined. He said people are melting it and selling it at a higher price. I do not think there are very many cases of that nature. It may be that one or two cases may have been noticed. If it had been on a larger scale there would have been many cases of melting against them. There have been no such cases. Therefore where is the proof of people melting the coins? On the other hand, Government has got the advantage of laying aside the amount of silver or copper which they diminish when new coins are minted. But what about the people? If I understood him aright, my Honourable friend said that the value of copper in a coin is only a little less than the face value of the coin. If it is so, why should they melt? What gain shall they have? What profit will it be to them to do that? Therefore, I am not inclined to

3 P.M. believe that people are melting and that that has been the cause of this disappearance of the small coins and the consequent extreme inconvenience to the people.

Then, Sir, if the Government had any intention of relieving the inconvenience—because they could see that the copper was disappearing—why did they not mint the new type of pice that they are making? Why was not that made long ago? They are always doing things too late. This is a belated step that they are taking.

I submit, Sir, that the responsibility and the remedy lie with the Government. My Honourable friend has said that it is the small shopkeeper who does not give credit to the people and wants cash in coins. I do not know if he found that in Calcutta. But in the mofussil, people cannot live without giving credit. They are not dealing with cash always. Even the small shopkeeper will die. He will starve because his profession is that—giving on credit. He lives on that. Therefore, why will he insist on cash being given at once? So, that also is not a reason for the present shortage. There is no need to cry over what has happened up to now. We want the situation to be improved, and it is up to the Honourable the Finance Member to say how it is to be done. The question has been put to him, and I repeat it: How is this trouble going to be removed by the Government? The sooner it is done the better.

Mr. Muhammad Azhar Ali: Sir, this question of the shortage of coins is considered very serious by the whole country though not by the European community but by the other communities at least.

Dr. P. N. Banerjee: The European community does not use small coins?

Mr. Muhammad Azhar Ali: True it is. My European friends can afford to pay any amount they like to the tongawallah. They can even travel free from one place to another. I am sure that Sir Edward Benthall and his railway officials will not perhaps dare catch such travellers, but they will catch hold of an Indian and send him to jail.

Dr. P. N. Banerjee: So, they travel without tickets?

Mr. Muhammad Azhar Ali: This is the way we Indians are feeling about the shortage of coins in the country. I tell the Government that shortage of coin is creating great dissatisfaction in the country, and I warn them that this, with other things, would go very much against the present British rule in India. Sir, whenever there is any question in this House or outside it about hoarding, the plea of the Government is that it is the Indian merchant, the Indian trader, the Indian *bania*, or those people who are melting coin who are to blame. I submit that this is an absurd proposition. We know what it is and I will tell you. I ask my friend, Sir Edward Benthall, if he has been

[Mr. Muhammad Azhar Ali.]

to any railway station, or if he comes with me I will show him just as I can see with my eyes, and so can he

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): He cannot see.

Mr. Muhammad Azhar Ali: He has eyes, I know. I ask my friends, the Honourable the Finance Member and also the Railway Member, what happens to the coin which passes into the hands of the Booking officers? Where does that coin go? It is crores and crores. Now, if my friend can give an explanation to that I will be highly obliged and satisfied. If the Government say that this coin goes to the public, I submit that it does not. It cannot. If I want a ticket for a second class fare from my city to my town, for which I have to pay nine annas, I am asked to give exactly nine annas and then I will get a ticket. How is it possible for me to get those nine annas when there is no change obtainable anywhere. I have to pay my motor hire, or the tongawallah, or the Ekkawallah and the coolie. I am concerned not only about myself. But I say that everyone who goes to the railway station has to produce small coins for paying there. Now, where is he to get the small coin from while the railway offices are hoarding. This theory of melting coin falls to the ground on this argument of mine if considered reasonably. If you want to blame the public and not your own officials, what can this House do? We are absolutely helpless.

There was a notification that small coins were about to come. Some of my Bombay friends may be able to say that they have seen those coins, but we are now here on the 10th of February and where are those coins? If the Finance and Railway Members take my points into consideration they will know where all the small coins are going. I even approached the Imperial Bank of India, Lucknow. I also approached the Station Superintendent. He said: "What can I do? The Imperial Bank of India does not give us any coin". I ask: Where does the railway send all those small coins? It is not a question of rupees. It is a question of small coins with which the poor people have to deal. The small traders cannot carry on any trade. When the poor people go to the *melas* and markets, they buy things for two annas and four annas. How is the small trader to deal with the people when these people cannot get two annas and two *paisas* even. The small trader cannot even send a man with a basket on his head to sell, because the public has not got the small change to buy anything from him. Sir, I inform the Government of what is happening. Now, Sir, our present Secretary of State says that he has to copy Akbar the Great and his constitution. I submit that during the days of Akbar the Great there was no paucity of coins in India? How can you copy the Constitution of Akbar the Great whose coinage was of gold?

Again, I ask the Government where those *cowries* of the time of Akbar have gone to? Why don't you offer those *cowries* to poor Indians? You don't require them. You want silver, copper and every other metal to go out of India. The real situation in the country, which you do not see, will open your eyes if you submit yourself to those conditions in which the poor Indians are placed today. I ask the Government why don't they take effective steps to stop the mischief of hoarding or whatever it may be and the trouble which is thus being created for the poor people. I do not say that rich people are in any trouble. They of course have got money. It was said in Delhi, when Americans first came here, that they used to give ten rupees to a *Tongawala* for a small trip. The poor Indian cannot do it. Europeans too may be able to do it.

Sir, even now if the Government of India is not benevolent enough to look after the interests of the poor Indian then I am afraid they are creating a great trouble in this country for themselves. Sir, I warn the Government before the situation takes a very very serious turn. You say that while we

are ruling India we have given you railways and other blessings, but all those blessings are nothing as compared with the difficulty which a poor man experiences in the absence of small coins to purchase his daily meals. Sir, I submit the remedy lies in the hands of Government. If you today issue special orders to all the District officers in respect of hoarding, to instruct the police officers to be very particular in the matter of punishment to be awarded to those who are in the habit of hoarding, the mischief will of course come to an end. What I mean is this. Instead of only giving small punishment of fines to hoarders for hoarding small coins, you should instruct the police officers that they will be offered some reward if they detect the persons who are in the habit of hoarding small coins and getting them punished. I am sure in this way coin hoarding will be finished. I do not think that by cross-examining me on this point my friends on the other side will get anything. However, this is one remedy. Instead of sending people to jail, I say again, give reward to the police officer in such cases as you give in case of other criminal offences. I am also sure corruption and bribery too will not be practised if you offer such rewards. So, I submit that the Government, at this juncture, when we have been asked by our constituents to come and ventilate in the Central Legislature their difficulties, should be alive to what is happening in the country. We have put forward our difficulties. Now, it must not be considered that because Mr. Neogy says so therefore the matter should be brushed aside. But the Government ought to be alive to the danger which the Government themselves, I hope, feel, and the people will suffer for all these mistakes which the Government will make.

Mr. K. C. Neogy: Sir, my Honourable friend, Mr. Azhar Ali's pointed reference to the practice that obtains at the railway stations and my Honourable friend, Mr. Lawson's rather rosy picture of Calcutta tempt me to relate my recent experience in this matter which I had only the other day. I had to send for my ticket from the head office of the East Indian Railway a few days ahead of the journey that I had to undertake for attending this Session. Here is a voucher that my clerk, whom I sent to the railway station, got in support of the expenditure on that occasion. It reads thus: "Railway fare Rs. 90-8-0. Actual fare Rs. 90-7-9. Since the booking clerk had no change this amount was rounded off". Now, Sir, I did not get change for annas eight though the total came to Rs. 90-8-0 after this rounding off. The second item is—"reservation charge annas eight". So, that is how the whole thing was rounded off. That is, Sir, my recent experience of the head office of the East Indian Railway in Calcutta.

I had had a similar experience at Sealdah railway station on the Bengal and Assam Railway. I had to undertake a short journey to a neighbouring district, and it so happened that I arrived at the station just about five minutes before the train had to leave. When I was told at the ticket office that there was no change, I was led to use forceful language. I can assure the House I am not in the habit of swearing, but could not help using such language as comes readily to any one who may be placed in such circumstances when he has to catch a train leaving in the course of five minutes. Now, that had an instantaneous effect. Out came the change correct to the half anna piece and direct from the till. That shows what is actually going on at the present moment. I have no personal experiences to relate with reference to the practice that obtains at the post and telegraph offices, but I have been assured by people who had their own experiences in this matter, that the practice there is exactly the same. They would insist upon getting change if you have any on your person, and then if the next man comes and asks for change they would say "No change. You can have some postage stamps if you like." That is the practice which is followed in the post offices.

My Honourable friend, Mr. Lawson, and the other Britishers in Calcutta, live in a world of their own, and they cannot imagine the trouble and the

[Mr. K. C. Neogy.]

difficulties which are being experienced by the poorer sections of the people all over the country. I had occasion comparatively recently to undertake a journey in certain parts of my constituency, and I can bear testimony to the enormous difficulties which the people at large are suffering from on account of the disappearing coins—particularly the pice coin. My Honourable friend, Mr. Lawson, perhaps had no occasion to purchase half a pice worth of vegetables for his daily ration—and the people who have to resort to their half-pice for their daily vegetable supply can be counted in millions in this country. Just imagine what is happening to them. It is a very serious matter, and I do not think that the half-hearted manner in which it has been sought to be dealt with so far is at all justified by the gravity of the situation. I hope that when the Honourable the Finance Member gets up to reply he will not try to make out that there is something very peculiar in the Indian mentality which is very distrustful of anything by way of extraordinary circumstances, and which induces him promptly to take to hoarding. I was only the other day, reading an official journal issued on behalf of Australia by an organisation from Simla, and there I found almost similar experiences being mentioned in Australia. It was mentioned in that news bulletin that in Australia they had to resort to penal laws for the purpose of getting coins into free circulation. I have not yet had the privilege of seeing the new pice coin. I understand it is pierced in the centre and that perhaps represents a very wise precaution taken by the Honourable the Finance Member for providing additional security for those who have occasion to use their change, for you can now wear your change in the form of a necklace round your neck with the help of a rather thick string—I understand the hole in the centre is pretty large in size and you can string it with a thick piece of rope and wear it as a necklace, which would be an additional precaution and security, particularly in black out nights and in black markets. I should like to have some information from the Honourable the Finance Member as regards one particular point.

He has expanded the currency, the paper currency, by—I do not know—how many crores. I understand the expansion of currency has contributed actually to the shortage of paper to a certain extent. That I understand is one way of increasing the national wealth. However, I would like him to tell us as to whether, when he goes in for a continued increase in the note circulation, he is expected at the same time to keep up the supply of the smaller coins in any proportion to the total note currency that may be in force at any particular time, or is it merely the paper currency that may be expanded *ad libitum* without any corresponding expansion in the currency of the lower denominations. If transactions increase as a result of this increase in the number of paper notes, the transactions also necessitate a larger use of the coins of the smaller variety. The whole matter of coinage is controlled by an Act of the Legislature. In the year 1906, the Legislature passed the Indian Coinage Act, laying down the specifications of the different kinds of coin. As usual, this legislation has been amended by an Ordinance in 1942; and although in the original Act even the specifications had to be laid down by the Legislature, that right has now been taken away by that Ordinance and vested in the Executive Government. It is now open to the Government of India to change the specifications in whatever way they like; and I hold in my hand the relevant notifications that were issued about a year ago as a result of that amendment under the Ordinance. There I read that the specifications mentioned in that notification comprise not merely the two-anna piece, the one-anna piece, the half-anna piece but also the quarter-anna, and the half-pice or 1/8th of an anna. I really wonder what has happened to this half-pice piece, and to the pie or 1/12th anna piece, which are mentioned in the notification as being expected to be issued. Even the pice has become scarce. My

point is this: if you have taken all the authority into your own hands, you do not need to consult the Legislature in these matters. But have you discharged your responsibility? Have you discharged your responsibility by issuing coins of the various denominations of the smaller coins mentioned in your own notification? You have issued certain new specifications comprising not merely the pice, but also the half-pice or 1/8th anna and the pie or the 1/12th anna. Are they really in circulation? Are they being minted? The next point is, is there any proportion fixed as a matter of practice, which the coins of the smaller denomination must bear to the total currency at any particular point of time? On that point I should very much like to hear the Honourable the Finance Member.

Sir Cowasjee Jehangir: Mr. Chairman, I do not think there is any necessity for trying to prove before this Honourable House the scarcity of small coins or the great inconvenience suffered by the poorer people; it is self-evident wherever one goes. As a matter of fact, in this Imperial city of Delhi, if you go to the post office with a telegram you are given change in the form of stamps. You are not given small change—you have got to accept stamps or take no change at all. When you have come to such straits in this Imperial city of Delhi, it really proves that there is a shortage of small coin and that poorer people must be very greatly inconvenienced. It is also the fact that due to this shortage of coin some people are compelled to pay more for the necessities of life than they need have done if they had the change in their pockets, just as paying the tongawalla more than is perhaps necessary. But on the other hand, it gives an opportunity to people like the tongawalla to demand exorbitant fares, because he knows very well that there is no change available. As a matter of fact, last night, when trying to get from New Delhi Railway Station to the Western Court, I had to hire two tongas for my luggage and I was told by my servants that the tongawallas refused to move or allow my luggage to be loaded unless they received Rs. 2 for each tonga, the distance being, I repeat, from New Delhi Station to Western Court.

Mr. Jamnadas M. Mehta: You were lucky. They were asking me to pay Rs. 4 for one tonga.

Sir Cowasjee Jehangir: I do not mean to say that the shortage of small coin made this tongawalla demand Rs. 2, but if they had demanded Rs. 1-8-0 and my servant had only Rs. 2 in his pocket, he would have had to pay Rs. 2 owing to lack of change. At any rate, there are these great difficulties in existence, there is no doubt about it and they require no proof from anybody. But the most important and material point of the discussion is, how did this shortage take place and why? There is no doubt that in India there is much greater employment of labour to-day than there was ever before. There are more people employed, more labour employed than ever before, and wages have to be paid and more small coin is required for payment of wages. That is one reason why a larger amount of small coin is required, but it cannot account for the shortage of coinage as we see it to-day. There must be other reasons. Hoarding has been pointed out as the other reason. I have no doubt that many enterprising men have taken advantage of the position of the higher price of copper and hoarded, but even that cannot account for it altogether. Therefore, it is on these points that I personally require enlightenment. We know that there has been an issue of a large amount of small coin, but how it gets absorbed one cannot tell. Perhaps the Honourable the Finance Member, whose duty it is to study this question, will enlighten not only us but the whole country as to the causes of this great inconvenience, how he intends to remedy it, and assure us that he will pursue with the greatest diligence and severity any cases of hoarding that he comes across. I believe that has been done, but it ought to be done more rigorously. I do not think he will catch many.

[Sir Cowasjee Jehangir.]

but those whom he can catch ought to be punished, properly punished. I await the Honourable Member's explanation as to the causes of this great shortage.

The Honourable Sir Jeremy Raisman: I have listened with very great interest to what a large number of speakers had to say on this very perplexing subject which has caused so much hardship to the country and, I may very honestly say, so much anxiety to the Government. The last speaker wanted to know what we diagnosed to be the cause of the shortage, because obviously in dealing with any disease the diagnosis or the aetiology is an important preliminary to any treatment of the malady. Of all the observations made on the subject in this House, my own view coincides most nearly with the causes as put forward by the Honourable Member from the European Group, Mr. Lawson. I think that the initial difficulty probably arose from a contraction of credit, so that, in the first place, there was in certain parts of the country—only a very limited part of the country where there was panic—a sudden demand for far more small coin than was normally used in that part, a sudden demand for more than had ever been necessary there. When you get people thinking that they may have to run away to-morrow and they do not want to keep even a day's dues outstanding, when they all insist on having in their pockets as much cash as possible so that they can shut up their shops and go away at a moment's notice, you get a very abnormal demand for small coin, but that could not possibly affect by itself the situation all over India.

Sir Cowasji Jehangir: In how many places could it be? Very few.

The Honourable Sir Jeremy Raisman: That happened in very very few places, particularly in Calcutta where there was actual panic. The moment this happened in Calcutta, the Calcutta people began to make such a noise about it and began to say so much about it that it began to spread to other parts of the country. The curious thing is that in war time this sort of panic is highly contagious; it spreads rapidly. If a shortage of any commodity or thing in one part of the country is highly publicised, then it is almost certain that you will get a sort of phobia beginning in other parts of the country quite soon. It may be a genuine panic, or, again, it may be that certain classes of the population who are always on the lookout for ways to exploit shortage get a new idea. They say, "Ha, Ha, there is going to be a shortage of small coin, there is already a shortage in Calcutta. If there is shortage, that is one way in which one can hold up the community and make some money out of people wanting small coin. So it is worth while collecting it." I do believe that there were, as a matter of fact anti-social elements who operate on the sore spots in the community in times of war in order to exploit them.

Pandit Lakshmi Kanta Maitra: That is all wrong hypothesis.

The Honourable Sir Jeremy Raisman: There is no hypothesis about it. That is the operation of ordinary psychology. It starts with a panicky fear of shortage and passes immediately to profiteering.

Pandit Lakshmi Kanta Maitra: That is the morbid psychology of those who have not faced the situation with all seriousness.

The Honourable Sir Jeremy Raisman: It may be morbid psychology. But you have to understand morbid psychology in order to deal with morbid souls. It has been said that in the case of copper pice there has been actual melting in order to make a profit because the value of the metal is greater than the face value of the coin. Well, that could have been the case, but actually my own view is that that is not so. As far as I have been able to find out, the actual price of copper in the pice coin was never actually greater than the face value of the coin, certainly not in Bombay or Calcutta, nor even as far as I can ascertain, in Lahore where the black-market price of copper was the highest.

Dr. P. N. Banerjee: The metal is an amalgam?

The Honourable Sir Jeremy Raisman: It is an alloy; it is largely copper. As the price of copper advanced, there is no doubt that certain people thought it was a good thing to hold in case the price of copper should go above the melting point and it might become lucrative.

Maulana Zafar Ali Khan (East Central Punjab: Muhammudan): Will you please tell us why small coins are hoarded?

The Honourable Sir Jeremy Raisman: I have been trying to explain. Unfortunately I lack certain qualities of the omnipotent, but I have been trying to apply my ordinary human faculties to the diagnosis of this curious phenomenon.

There is no doubt that once this type of shortage began to be publicised and the fear of shortage spread to other parts, then hoarding began in a very remarkable degree. Now, for instance, I have some statistics relating to the absorption of small coin in Delhi. Absorption is a technical term. I might point out that we proceed normally on the assumption that the use of currency is a two way operation. Unlike notes which get torn and have to be withdrawn and replaced, metal coin should last a very long time and in normal circumstances there should be as much coming in as going out. When there is more going out, we call it absorption and when there is more coming in we call it return. We are familiar with the fact that for some years and, especially since the war, the process has been one of absorption and absorption on a considerable scale. Honourable Members will remember that I have drawn attention to this subject in my budget speeches and have had to evolve a special procedure for dealing in a suitable way with the abnormally large profits which accrue to us from the abnormal absorption of small coins since the war began. Incidentally since my friend, Mr. Azhar Ali, has cast such sinister suspicions on our motives and on our handling of this matter, I may tell him that it is quite one of the most lucrative activities of Government and there is not the slightest reason why we should wish not to distribute as much small coin as the country will take. It is a highly profitable operation.

However, I was talking about the statistics in Delhi. The normal local absorption of small coin in the whole of Delhi was averaging Rs. 3,000 a day—that is, small coin of all kinds. Since the scare started, the demand rose to Rs. 20,000 a day of small coin and we actually met it in full at this rate for six weeks without making the slightest impression upon the demand. The demand of the railway stations trebled and that of the post offices increased twenty fold during that time. That is an indication of how rapidly, once a scare starts, hoarding begins and the normal two way traffic process is interrupted,—how rapidly the situation deteriorates and how difficult it becomes to deal with.

Now, another proof that hoarding is mainly the cause of the trouble is that in police raids all over the country we have actually unearthed large hoards and in certain places we have found that as soon as action was taken and hoarders were punished, there started to be a return of small coin to the banks. In one place, Rs. 75,000 worth of small coins returned within a few days of the prosecution of a few notable hoarders. Well, that is the best I can do for my Honourable friend, Sir Cowasjee Jehangir, in explaining the cause of the trouble. It may be that in addition sinister influences have been at work, deliberately inciting people to hoard and to cause trouble to the country or to the Government, as they would put it. It is one of those curious suicidal activities on which people apparently embark in these troublous times. It may be that that is a factor but I think the factors which I have mentioned are more important.

Now, what have we done to meet the situation? In the first place, we have done the obvious thing. We have increased the output of small coins. Now, the only way in which we can increase the output of small coin is by setting the mints working as hard as they can. We can only make small coin

[Sir Jeremy Raisman.]

in our mints and at the present time we only have two mints—one in Calcutta and the other in Bombay and they are working absolutely to capacity. We are also erecting a third mint in Lahore and I hope that it will be in operation at any rate by June. Now, I will give the house an idea of the scale of operations which is involved in trying to deal with this. Up to the end of January, 1943, we have actually minted not less than 2,131 million pieces in addition to what was in circulation before and what, as far as could be observed, was then reasonably essential for the needs of the country. Since the beginning of the war, up to the end of January, we have minted 2,131 million pieces.

An Honourable Member: Does that include pice also.

The Honourable Sir Jeremy Raisman: It includes pice also.

Sir Cowasjee Jehangir: Starting from what denomination?

The Honourable Sir Jeremy Raisman: From 8 annas down to one pice. In 1940, the absorption of small coins was 4 crores of rupees; in 1941, it was 5 crores of rupees and in 1942, up to the end of November, it had already reached 9½ crores of rupees. Now, the output of the two mints in Calcutta and Bombay has been stepped up from 16 million pieces of small coin a month at the beginning of the war to 70 million pieces a month last summer and it has now reached the rate of 125 million pieces a month. We are pouring out small coin at the present moment at the rate of 125 million pieces a month. It is a colossal quantity. (*An Honourable Member:* "It is highly profitable to you.") Yes, I have said so. We are pouring out this colossal quantity and it hardly seems to make an impression on the situation, although there has been definitely some easing in various places. But that is the magnitude of the operations. Both our mints are working 24 hours a day. We have got ample stocks of metal and we hope to increase the output still further when the Lahore mint starts manufacture. From Lahore, we hope to put out another 30 million pieces a month.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member has two minutes more.

The Honourable Sir Jeremy Raisman: I shall try to finish soon. I do not know how long this country can go on absorbing small coin at this fantastic rate but we shall go on pouring it out, since the demand is there.

Babu Baijnāth Bajoria: What about minting for Australia?

The Honourable Sir Jeremy Raisman: I will come to that in a moment. That is what we are doing by way of the output of coins. The only other class of measures we can go in for is to endeavour to put a stop to this hoarding and to secure the free circulation of the supplies already available. We have been concentrating on that aspect of the matter. The acquisition of coin in excess of personal or business requirements for the time being and the selling of coin at a price above its face value are offences under the Defence of India Rules and we have been making every effort to trace offenders and to secure their conviction. To facilitate detection, liberal rewards have been offered to those on whose information convictions are secured. That is one of the suggestions that was made in the House today and it is a suggestion which we are actually putting into practice; and in order to expedite the disposal of such cases, these offences have been made triable by summary procedure. We put out a press note on that subject a short time ago. Again, in order to protect further issues of pice against hoarding in the hope that a future rise in the black market of copper might make melting profitable, we have devised a new design of pice which weighs 80 grains against the former 75 grains and we have put this into circulation from the 1st of February. My Honourable friend Mr. Neogy, aroused some hilarity on the subject of our new pice. We do not mind causing a little innocent fun and so on, but I do hope he realises that in so far as the

hoarding of the old pice is stimulated by the high value of its metallic content the only way to deal with the matter is to try and put up a coin which has a lower and less attractive metal value. Unless you are to make a coin which is so small that it cannot be conveniently handled, the next best thing is to have a coin with a hole in the middle. That is not only our bright idea but it is an idea which has occurred to many countries before us. It is quite a commonplace in currency practice.

Babu Baijnath Bajoria: Is it not a fact that the old pice which comes into Government hands is not returned again for circulation but is melted for making new coins?

The Honourable Sir Jeremy Raisman: Now that we are making a smaller pice, naturally as the old pice comes in we should be able to make $2\frac{1}{2}$ pice from what was before one pice, but that would be in the public interest in order to make the supply of metal go as far as possible.

There is just one point I want to deal with before I sit down and that was the point about Australian coinage. The position in respect of orders for foreign coins is this. Our mints have always normally been prepared to accept foreign orders because they are quite lucrative transactions. As soon as the shortage in our small coins position became apparent we slowed down the execution of the foreign orders and the position at the moment is that the foreign orders absorb less than 1 per cent. of our total capacity and we are not accepting any more foreign orders. We have slowed down to the minimum. It should be remembered, after all, that the other countries too have their difficulties and at the time when we accepted these orders there was no reason to think that the conditions would be so acute in India. At any rate, we have slowed down the rate of execution of these orders to a speed which has a negligible effect on our total output. In the circumstances, I hope the House will realise that the Government has treated this matter with the utmost seriousness and is doing everything it can to remedy what it realises is a most terrible hardship to the population.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Babu Baijnath Bajoria: Sir, all sections of the House, including even the Finance Member, have agreed that a serious situation has been created in this country on account of the shortage of small coins. The Finance Member has given us figures about the minting capacity of the Mints and he has also said that hoarding is going on in the country which started from Calcutta on account of the wild panic there. I do not know how far this statement is correct because in Calcutta the pice and other small coins are as much scarce, as they are in Delhi. I do not agree at all with my friend, Mr. Lawson, that pice is returning in Calcutta and can be had there. He is sitting in a very big palatial building of the Imperial Chemical Industries and they do not give any credit to anybody and always follow the policy of cash and carry.

Sir Cowasjee Jehangir: Don't they give you any credit?

Babu Baijnath Bajoria: I do not want any credit from them. We have to deal with all sorts of people, big and small, and we know how difficult it is to get pice even for ordinary transactions and for the poorer people to buy their daily necessities in the bazaar.

As regards psychology, these are high theories and I am not so educated and learned as to go into all those higher spheres. But what I want to say is that we must have sufficient small coins to meet the ordinary needs of the people. The diagnosis which the Honourable the Finance Member has related is not correct. If it were correct, the disease would have been cured. Because the disease is still there, the temperature has not gone down from 105 to even 104, I think his diagnosis is absolutely incorrect. So, I think he should go further into the matter and consult another expert doctor, not from abroad, but

[Babu Baijnath Bajoria.]

from within who knows the conditions in this country well, so that this question may be more seriously considered. I quite agree by the figures which he has given that the minting capacity of the two Mints has gone up and we are glad to learn that a third Mint is also going to be put into operation soon in Lahore. But as my friend, Sir Cowasjee Jehangir, has pointed out, the demand for small coins has also gone up considerably and he should try to meet this demand. This is a serious matter and it affects the poor much more than the rich. I have tabled this motion of adjournment to serve the needs of the poorer section of the community.

Dr. P. N. Banerjee: You have rendered a service.

Babu Baijnath Bajoria: I would render a service if as a result of this motion they get more pice and more coins. In that case, I shall surely consider having done some service but merely talking out the motion or making speeches will not do them any good. Sir, I do not want to withdraw my motion and I would like to press it to a division.

4 P.M.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Assembly do now adjourn."

The Assembly divided:

AYES—26.

Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Azhar Ali, Mr. Muhammad.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Chattopadhyaya, Mr. Amarendra Nath.
Dam, Mr. Ananga Mohan.
Das, Pandit Nilakantha.
Deshmukh, Mr. Govind V.
Essak Sait, Mr. H. A. Sathar H.
Fuzli-Haq Piracha. Khan Bahadur
Shaikh.
Joshi, Mr. N. M.
Kazmi, Qazi Muhammad Ahmad.

Krishnamachari, Mr. T. T.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mehr Shah, Nawab Sahibzada Sir Sayad
Muhammad.
Mehta, Mr. Jamnadas M.
Murtuza Sahib Bahadur, Maulvi Syed.
Nairang, Syed Ghulam Bhik.
Neogy, Mr. K. C.
Parma Nand, Bhai.
Raza Ali, Sir Syed.
Sant Singh, Sardar.
Siddique Ali Khan, Nawab.
Zafar Ali Khan, Maulana.

NOES—32.

Abdul Hamid, Khan Bahadur Sir.
Aiyar, Mr. T. S. Sankara.
Aney, The Honourable Mr. M. S.
Bentham, The Honourable Sir Edward.
Bewoor, Sir Gurunath.
Caroe, Mr. O. K.
Chapman-Mortimer, Mr. T.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.
Ghuznavi, Sir Abdul Halim.
Gray, Mr. B. L.
Gwilt, Mr. E. L. C.
Haider, Khan Bahadur Shamsuddin.
Ismaiel Alikhan, Kunwer Hajee.
Jawahar Singh, Sardar Bahadur Sardar
Sir.
Jehangir, Sir Cowasjee.

Lawson, Mr. C. P.
Maxwell, The Honourable Sir Reginald.
Miller, Mr. C. C.
Mody, The Honourable Sir Homi.
Pillay, Mr. T. S.
Raisman, The Honourable Sir Jeremy.
Richardson, Sir Henry.
Sarkar, The Honourable Mr. N. R.
Spear, Dr. T. G. P.
Spence, Sir George.
Stokes, Mr. H. G.
Sultan Ahmed, The Honourable Sir.
Thakur Singh, Major.
Trivedi, Mr. C. M.
Tyson, Mr. J. D.
Wakely, Mr. L. J. D.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 11th February, 1948.

LEGISLATIVE ASSEMBLY

Thursday, the 11th February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Seth Yusuf Abdoola Haroon, M.L.A. (Sind: Muhammadan Rural).

STARRED QUESTIONS AND ANSWERS.

DURATION OF ORDINANCES PROMULGATED BY THE GOVERNOR GENERAL.

22. *Mr. K. O. Neogy: (a) Will the Honourable the Law Member be pleased to explain his reference to the India and Burma Emergency Act in reply to a supplementary question asked by me regarding Ordinances promulgated by the Governor General, as reported at page 95 of the Legislative Assembly Debates, dated the 15th September, 1942?

(b) As regards the scope of the India and Burma (Emergency Provisions) Act which was passed by the British Parliament in 1940, will he be pleased to refer to the speech delivered by Mr. Amery, the Secretary of State for India, on the second reading of the relevant Bill in the House of Commons on the 26th June, 1940, as reported in *Hansard*—Volume 362 (1939-40), particularly the following extract therefrom:

“Normally, the Ordinance making power of the Governor General under Section 72 of the Government of India Act extends only for six months. It would be obviously inconvenient for all concerned if a measure enforcing military service in a war the duration of which none of us can foresee, were limited to six months. Consequently, that passage in Sub-section (3) frees those, and only those of the Governor General's Ordinances which affect the disciplinary Acts from this limitation. By passing Sub-sections (3) and (4) of clause 1, this House will give the Governor General the power which he desires to introduce immediately a measure of compulsory service for European British subjects in India, and to extend the period of that measure beyond the emergency period referred to in Sub-section (3).”?

(c) Will the Honourable Member be pleased to state whether the intention of His Majesty's Government as stated by the Secretary of State in his above-quoted speech, to restrict the extension of duration of Governor General's Ordinances beyond the statutory period of six months, to measures of the category specified therein, has been carried out in practice? Which Ordinances not included in the aforesaid category have been, if at all, allowed to remain in force for more than six months?

The Honourable Sir Sultan Ahmed: (a) On a perusal of the report, I think that I probably misheard the particular supplementary question to which the Honourable Member refers, and I am not concerned to maintain that the India and Burma (Emergency Provisions) Act is relevant to that particular question.

(b) and (c). I am authorised to state that the passage from the Secretary of State's speech which the Honourable Member has quoted does not represent his considered view, and that His Majesty's Government have at no time entertained the intention attributed to them by the Honourable Member. What the Honourable Member refers to as the statutory period of six months has no application to Ordinances made since the passing of the India and Burma (Emergency Provisions) Act, and with one exception all Ordinances made since that date have remained in force for more than six months.

Dr. P. N. Banerjee: Sir, is not the Government of India subordinate to the Secretary of State?

The Honourable Sir Sultan Ahmed (Law Member): The question does not arise.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better address himself to the question.

Dr. P. N. Banerjea: The Honourable the Law Member said that that was not his considered opinion, but whatever opinion was expressed by him is that to be given effect to by the Government of India or not?

The Honourable Sir Sultan Ahmed: I have been authorized to state that that was only a slip and it was not his intention.

Mr. K. C. Neogy: Will the Honourable Member refer to the House of Lords proceedings and say as to whether substantially the same statement was not repeated there in this connection?

The Honourable Sir Sultan Ahmed: If my Honourable friend will give me notice of that I will consider that. I shall have to consult the House of Lords proceedings.

Mr. K. C. Neogy: When was the attention of Government first drawn to the statement made by the Secretary of State?

The Honourable Sir Sultan Ahmed: I want notice of that question.

Mr. Lalchand Navalrai: What were the reasons for changing the six months rule?

The Honourable Sir Sultan Ahmed: The question was before the Parliament and the Parliament decided that. I cannot answer on behalf of the Parliament.

Mr. Lalchand Navalrai: Does the Honourable Member know the reason which the Parliament gave?

The Honourable Sir Sultan Ahmed: The proceedings will show that.

Mr. Lalchand Navalrai: Has the Honourable Member not seen those proceedings?

The Honourable Sir Sultan Ahmed: I have.

Mr. Lalchand Navalrai: Will the Honourable Member say what reasons were advanced so that we may put further supplementary questions?

The Honourable Sir Sultan Ahmed: I cannot remember all that was said there.

Mr. N. M. Joshi: May I ask whether the intentions of Parliament are not made clear by the speech of Mr. Amery?

The Honourable Sir Sultan Ahmed: I have answered that question.

Mr. K. C. Neogy: May I know whether it is the Governor General or the Governor General in Council who decides as to whether a particular measure should be undertaken by way of Ordinance or be left to be regulated by the normal legislative procedure?

The Honourable Sir Sultan Ahmed: Governor General, under the Act itself.

Mr. K. C. Neogy: May I draw the Honourable Member's attention to a statement which was made on the 21st of September in the Council of State debates in reply to question No. 20 of that day? In giving reasons as to why particular measures were undertaken by way of Ordinance, it was stated that the delay involved in submitting the matter through the normal legislative procedure was not desirable and in order to avoid that delay this procedure was not undertaken and Ordinances were promulgated?

The Honourable Sir Sultan Ahmed: That certainly was one of the very vital reasons.

Mr. K. C. Neogy: But who decides as to whether the delay involved in going through the normal legislative procedure, should be avoided in a particular instance?

The Honourable Sir Sultan Ahmed: Governor General.

Pandit Lakshmi Kanta Maitra: Does not the Cabinet of Ministers tender any advice to the Governor General in that respect?

The Honourable Sir Sultan Ahmed: It is not appropriate for me to say whether we give advice or whether we do not, or the Governor General asks for our advice or not.

PAUCITY OF MUSLIM GAZETTED OFFICERS IN THE PRINTING AND STATIONERY OFFICE.

23. *Sir Abdul Halim Ghuznavi: (a) Will the Honourable Member for Labour be pleased to state how many Gazetted Officers there are in the Printing and Stationery Office of the Government of India? Are there any Muslims among them? If not, why not?

(b) Is it a fact that recently the vacancy of a Second Assistant Controller in the Central Stationery Office was filled up by a Hindu Sub-Deputy Collector from Bengal, ignoring the legitimate claims of Muslim candidates and in violation of the Government circular regarding the maintenance of a ratio for Muslim appointments?

(c) Do Government propose to take any steps to increase the existing ratio of Muslim Gazetted Officers for safeguarding the interest of Muslims?

(d) Is it a fact that Government propose to create shortly one post of Assistant Controller and another of Superintendent in the Central Stationery Office? If so, will they be pleased to reserve these appointments for Muslims?

The Honourable Dr. B. R. Ambedkar: (a) Presuming that the Honourable Member refers to the Stationery and Printing Department as a whole, the number of gazetted officers is 24 of which two posts are at present held by Muslims. The last part does not arise.

(b) Yes. The reply to the second part is in the negative.

(c) All gazetted posts in the Stationery and Printing Department are selection posts appointments to which are made by selection on merits in accordance with existing rules. Assurance to increase the proportion of Muslims to such posts will not be in conformity with those rules.

(d) There is no proposal to create any additional post of Assistant Controller in the Central Stationery Office. A temporary post of Superintendent has recently been sanctioned for that office for a period of less than three months. Orders regarding communal representation do not apply to the filling of temporary vacancies of such duration. The post in question will not accordingly be reserved for a Muslim.

Mr. Lalchand Navalrai: May I know from the Honourable Member if these officers are selected by the Public Service Commission or by the higher officer themselves?

The Honourable Dr. B. R. Ambedkar: I must have notice of that question.

Mr. Lalchand Navalrai: May I know from the Honourable Member if appointments are made by promotion: and in case of promotion are recruitments made on a communal basis or otherwise?

The Honourable Dr. B. R. Ambedkar: The communal ratio does not apply to promotions.

Mr. Lalchand Navalrai: Therefore, may I know whether in this case the officers are taken by promotion?

The Honourable Dr. B. R. Ambedkar: Yes.

PAUCITY OF MUSLIMS IN CALCUTTA CENTRAL STATIONERY OFFICE, ETC.

24. *Sir Abdul Halim Ghuznavi: (a) Will the Honourable Member for Labour please state how many Superintendents and Head Assistants there are in the employ of the Central Stationery Office, the Calcutta Press and the Central Forms Store located in Calcutta? What proportion of these appointments are held by Muslims?

(b) What is the total number of Assistants and clerks employed in the Central Stationery Office, the Calcutta Press and the Central Forms Store located in Calcutta, separately?

(c) What is the proportion of Muslims in each office and in each cadre?

(d) How many new posts of Assistants have been created in each of the above three offices and how many of them were filled by Muslims?

(e) If the number of Muslims in employ is not commensurate with the ratio laid down by the Government circular, why has no attempt been made to rectify things?

(f) Is it a fact that some junior Hindu clerks with minimum educational qualifications and meagre office experience were promoted to the cadre of Assistants in the Central Stationery Office during the year, thereby superseding the claims of senior Muslim clerks?

The Honourable Dr. B. R. Ambedkar: (a), (b), (c) and (d). A statement containing the required information is laid on the table.

(e) The Government circular applies to direct recruitment and is being followed. No question of rectification arises.

(f) No. As posts of Assistants are filled by selection on merit the question of supersession of senior men does not arise.

Statements showing the Number of Assistants and Clerks employed, the proportion of Muslims in those categories and the Number of Posts of Assistants created owing to war in the Central Stationery Office, the Central Forms Store and the Calcutta Press.

(a) Two Superintendents and ten Head Assistants. None of them is a Muslim.

(b) and (c).

Assistants.	No.	Proportion of Muslims. Per cent.
Central Stationery Office.	31	9.7
Central Forms Store	13	7.7
Calcutta Press	5	Nil.
<i>Clerks—</i>		
Central Stationery Office	329	19.1
Central Forms Store	166	21.1
Calcutta Press	49	20.4
	Assistants' posts created as a result of the war.	No. of Muslims.
(d). Central Stationery Office.	13 of which 11 filled.	1
Central Forms Store	9 (none yet filled).	..
Calcutta Press	Nil.	Nil.

NOTE.—Figures given against the Central Stationery Office include the number of Assistants and clerks employed in the Stationery Store Branch to which the communal orders were applied from the 18th June, 1942.

WORKING HOURS OF THE CENTRAL STATIONERY OFFICE.

25. *Sir Abdul Halim Ghuznavi: (a) Will the Honourable Member for Labour please state if it is a fact that the working hours of the Central Stationery Office have been extended by thirty minutes?

(b) Is it a fact that a concession of thirty minutes allowed to Muslim employees in the Central Stationery Office during the last Ramzan was disallowed? If so, why?

(c) Is it a fact that the working hours in certain branches of the Central Stationery Office have been further extended by sixty minutes? If so, are Government prepared to sanction overtime allowance to the employees of those branches for the extended time?

The Honourable Dr. B. R. Ambedkar: (a) Yes.

(b) Yes. The concession was previously allowed on the analogy of local Government orders. It was disallowed in 1942 as the Government of Bengal withdrew the concession in view of earlier closing hours.

(c) Yes. As a temporary measure for a short period only. To tide over the rush of work in connection with Defence supplies the staff of certain branches was required to remain in office one hour more. It is not customary to pay for such additional overtime to non-industrial staff.

INFORMATION ABOUT INDIANS IN ENEMY-OCCUPIED COUNTRIES.

26. *Mr. Lalchand Navalrai: Will the Honourable Member for Indians Overseas be pleased to state if the Government of India have received any information about the welfare, existence and safety of those Indians including Sindhis whose names and addresses were supplied to him from time to time? If so, will he place a list of the same on the table? If not, what efforts have the Government of India made through the Red Cross Societies or other bodies similarly occupied?

The Honourable Mr. M. S. Aney: The Government of India have received information in a certain number of cases mainly relating to British subjects in Japan, Shanghai, Hong-Kong and Bangkok through the International Red Cross Committee and the Protecting Power. They have also received information from other sources in a number of cases relating to Burma and Malaya. These total rather more than 800 and include Sindhis. The enquirers have in all cases been informed. The total number of enquiries is between five and six thousand. The Honourable Member will agree that no useful purpose will be served by placing such a list on the table. I regret that no information has yet been received regarding individuals whose cases have been referred to me by the Honourable Member himself.

Mr. Lalchand Navalrai: It is very unfortunate that those have not been reported. May I know if, at least, the list may be placed in the Library, so that we may come to know who are and who are not?

The Honourable Mr. M. S. Aney: I will consider the suggestion.

THE NEW FOOD DEPARTMENT.

27. *Maulvi Muhammad Abdul Ghani (on behalf of **Dr. Sir Zia Uddin Ahmad**): (a) Will the Honourable the Commerce Member please state what the duties, powers and functions of the new Department of Food Supply are?

(b) What is the number of officers and clerks in this department and what are their salaries?

(c) Has the permission of the Finance Department and of the Assembly been obtained for the establishment of this new Department?

(d) What action has this new department taken to meet the difficulties of the poor?

The Honourable Mr. N. R. Sarker: (a) Honourable Member's attention is invited to the Department of Food Notification No. 12-E. (F. D.)/42, dated 8th December, 1942, published in the Gazette of India, dated 12th December, 1942. The correct designation of the department is the "Department of Food".

(b) The following statement gives the required information :

	Appointments.
1. <i>Secretariat :</i>	
(i) Officers	10
(ii) Ministerial staff	68
2. <i>Office of the Controller General of Foodstuffs :</i>	
(i) Officers	54
(ii) Ministerial staff	198
3. <i>Liaison staff in Provinces :</i>	
(i) Officer	1
(ii) Ministerial staff	3
4. <i>Office of the Sugar Controller for India :</i>	
(i) Officers	8
(ii) Ministerial Staff	52

The great majority of these appointments were actually in existence or existed under different designations in the Commerce and Supply Departments before the Department of Food was constituted and the Officers holding these posts have merely been transferred to the new Department.

The Secretariat Officers and staff receive Secretariat scales of pay. The Executive Staff receive scales of pay admissible in attached offices of the Government of India except a few technical posts for which special rates of pay have been sanctioned with the concurrence of the Finance Department, I. C. S. and Military Officers in the Secretariat receive their grade/rank pay, and special pay, where admissible.

(c) The answer is in the negative but the various posts and their scales of pay have been settled with the concurrence of the Finance Department and the approval of the Standing Finance Committee was obtained on the 8th February, 1943.

(d) The new Department has been formed neither to provide employment for educated persons nor to meet the food difficulties of the poor people only. It has been set up with a view to solving the food difficulties of the whole population.

Mr. Lalchand Navalrai: May I know from the Honourable Member with regard to clause (b), whether new officers and clerks have been recruited? I understood the Honourable Member to say that they were taken from other Departments.

The Honourable Mr. N. R. Sarker: Mainly it was so.

Mr. Lalchand Navalrai: Was there new recruitment of officers and clerks?

The Honourable Mr. N. R. Sarker: Yes.

Mr. Lalchand Navalrai: Will the Honourable Member say how many officers have been taken?

The Honourable Mr. N. R. Sarker: I want notice.

Maulvi Muhammad Abdul Ghani: I want to know whether the newly created Department helps the U. K. C. C. in the purchase of articles of food?

The Honourable Mr. N. R. Sarker: No.

Mr. H. A. Sathar H. Essak Sait: With regard to the officers under clause (b) are all the officers working in the Centre or in the Provinces?

The Honourable Mr. N. R. Sarker: One officer and three clerks are working in the Provinces.

Pandit Lakshmi Kanta Maitra: Do I understand the Honourable Member to say that this Department was reorganized by taking departmental hands from the Education, Health and Lands Department and Supply Department and others?

The Honourable Mr. N. R. Sarker: Mainly Supply and Commerce Departments.

Mr. H. A. Sathar H. Essak Sait: I would like the Honourable Member to make it clear whether all these officers are working in the Centre alone or in the provinces, also, and if so, in what provinces.

The Honourable Mr. N. R. Sarker: I gave the answer in the main reply.

Pandit Lakshmi Kanta Maitra: May I take it that the organization is complete and about to work?

The Honourable Mr. N. R. Sarker: It is already working.

RECENT APPOINTMENT OF EUROPEANS IN SURVEY OF INDIA DEPARTMENT.

28. *Mr. K. O. Neogy: (a) Will the Honourable the Labour Member be pleased to state whether some sixty British Officers have recently been recruited by the Survey of India Department?

(b) Were these posts advertised, and was not even a single qualified Indian forthcoming for any of the vacancies?

(c) Have not appointments in this Department been made in the past and even in the present from European members of the Army on grounds which were adversely criticised by Mr. W. C. Madge, a member of the Islington Commission?

Mr. J. D. Tyson: (a) No. A military unit containing 56 British Other Ranks has, however, been attached temporarily to the Survey of India as a technical re-inforcement for its military map publication work and to provide a base re-inforcement pool of military technicians for military field survey units.

(b) Efforts have been made from time to time by advertisement and appeals to the printing trade to obtain for the Survey of India the services of printing technicians but the numbers forthcoming have not been adequate to meet war requirements.

(c) The policy and procedure for the recruitment of army officers to the Survey of India are defined in this Department Resolution No. F. 234-1/32-F., dated the 29th June, 1937, a copy of which is laid on the table.

Resolution.

In exercise of the powers conferred by sub-section (2) of Section 96-B. of the Government of India Act, read with rule 43 (a) of the Civil Services (Classification, Control and Appeal Rules), the Secretary of State for India, with the concurrence of the majority of votes at a meeting of the Council of India held this 31st day of March, 1937, hereby makes the following rules :

1. These rules may be called the Survey of India, Class I (Appointment) Rules, 1934.

2. In these rules :

(a) "Government" means the Governor General in Council.

(b) "The Service" means the Survey of India, Class I.

(c) "Commissioned officers" means :

(1) A person holding a commission in His Majesty's Land Forces and belonging to the Corps of Royal Engineers (hereinafter called officers of the Royal Engineers).

(2) A statutory native of India holding a commission in His Majesty's Land Forces (hereinafter called a King's Commissioned Indian Officer).

(3) A statutory native of India holding a commission as an Indian Commissioned Officer in His Majesty's Indian Land Forces (hereinafter called an Indian Commissioned Officer).

(d) "Military posts" means posts in the service reserved for "Commissioned Officers".

3. Subject to the provisions of rule 4 officers of the Corps of Royal Engineers and King's Commissioned Indian officers and Indian Commissioned officers shall be appointed

in accordance with the scheme of recruitment given below; the scheme contemplates short term appointments of Royal Engineer officers for a period of 7 years in each case :

**Royal Engineers.
Recruitment.**

Date 1st September.	Royal Engineers. Recruitment.		Total	Indian Army Recruit- ment.	Total	Total military Officers.
	Per- manent	Short Term.				
1935	1	1	25	2	7	32
1936 . . . . .	..	..	25	..	6	31
1937	1	1	26	1	7	33
1938 . . . . .	..	..	25	..	7	32
1939	1	1	25	1	7	32
1940 . . . . .	..	..	25	..	6	31
1941	1	..	25	1	7	32
1942 . . . . .	..	1	24	..	7	31
1943	1	1	26	1	8	34
1944 . . . . .	..	1	25	..	8	33
1945	1	1	24	..	7	31
1946 . . . . .	..	1	23	..	7	30
1947	1	1	25	1	8	33

The following posts will be reserved for these officers :

(1) 19 out of the 24 posts of Surveyor General (1), Director (4), and Superintendent (19).

(2) 5 posts of Assistant Superintendent.

In addition there will be a leave and training reserve of which the maximum will be 10 and the minimum 6.

NOTE 1.—Vacancies, other than normal superannuations, shall be filled by immediate additional recruitment from the category to which the vacancy pertains, (subject to the provisions of Rule 4) provided always that if such vacancy would have been caused by superannuation during the period covered by the scheme of recruitment, a corresponding reduction in recruitment will be made in the year of, or next after, such superannuation.

NOTE 2.—Short term Royal Engineer officers shall be replaced by other short term officers on reversion to the Army at the end of the term of temporary attachment.

4. A vacancy in a military post shall be filled by the appointment of a commissioned officer of the category required under the operation of rule 3, who has had not more than six years' military commissioned service and is otherwise qualified :

Provided that if no commissioned officer of the category required is available the vacancy may be filled by the appointment of a British officer of the Indian Army who has had not more than six years' military commissioned service and is otherwise qualified :

Provided further that a vacancy may at the discretion of Government be filled by an otherwise qualified commissioned officer of the category required or a British officer of the Indian Army, as the case may be, who has more than six years' military commissioned service.

5. (i) Military officers shall apply for appointment to the service to the Military Secretary, Army Headquarters (India), who will forward their applications to the Surveyor General of India.

(ii) The Surveyor-General shall maintain a list of such applicants as, after making due inquiries, he considers to be suitable for appointment.

(iii) When a military post falls vacant, the Surveyor General shall, whenever possible, nominate an officer or officers from the aforesaid list, with due regard to the provisions of rules 3 and 4. If the Surveyor-General is unable to make any nomination in the manner aforesaid, he shall submit his recommendations for filling the post.

(iv) After considering the Surveyor-General's proposals, Government may make appointments to the Service and may modify the Surveyor-General's proposals, except that no military officer shall be appointed who has not, in the opinion of the Surveyor-General, the requisite technical qualifications for the Service.

6. Officers appointed to the Service will be on probation for two years. Those of them whose mother tongue is not Urdu, will be required, if they are not already so qualified, to pass a prescribed test in that language within the period of probation.

7. Government may extend the said period of probation, but unless Government otherwise directs, an officer whose period of probation has been so extended, will not earn any increment of pay during the period of such extension.

8. A probationer may be reverted to military service at any time either by order of Government or at the Officer's own request. If he is not reverted before the end of his period of probation, (whether original or extended), Government shall decide on the advice of the Surveyor-General whether he shall be confirmed in the Service or reverted to military duty.

9. Officers who are confirmed shall be ranked in the graded list of the Service according to the dates when they received their Commissions.

These Rules shall be deemed to have had effect from 1st January, 1934.

M. W. YETTS,

Offg. Joint Secretary to the Government of India.

Mr. J. D. Tyson: I would add that the present rules follow the line laid down by the Islington Commission and endorsed by the Honourable Mr. Madge as a member of that Commission.

Mr. K. C. Neogy: Is it a fact that a previous Chief of the Survey of India recorded the following opinion:

"It is suicidal for the Europeans to admit that the natives can do any one thing better than themselves, and that they should claim to be superior in everything and should only allow the natives to take a secondary or subordinate part."

It was on these grounds that he supported the exclusion of Indians from that Department.

Mr. J. D. Tyson: I have been unable to verify the statement and sentiments attributed to a Surveyor-General who held office before either myself or Mr. K. C. Neogy was born. That gentleman held office from 1884-1887.

Mr. K. C. Neogy: I did not mention the officer. I see that the Honourable Member has taken great pains to study the papers. He knows more about them than I do.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member knows about it, then it is all right.

Mr. K. C. Neogy: In fact, if the Honourable Member has not been able to verify the statement, am I to understand that the subsequent statement was made as a matter of instinct?

Mr. J. D. Tyson: If I did not mishear the Honourable Member, he mentioned the name of the gentleman.

Mr. K. C. Neogy: I did not. I said a previous Chief of the Department. Is the Honourable Member aware that Mr. Gokhale as a Member of the Islington Commission on Public Service actually brought this and several other equally interesting observations of this officer to the notice of the public and the Commission.

Mr. J. D. Tyson: I have not been able to read through the whole of the Islington Commission.

Mr. President (The Honourable Sir Abdur Rahim): It is a very old story.

EMBARGO ON TEA EXPORT.

29. *Mr. K. C. Neogy: (a) Will the Honourable the Commerce Member be pleased to state whether Indian commercial interests have protested against the embargo on tea export after December 15, except to the Ministry of Food through the Tea Controller for India?

(b) Whether this proposal as well as the earlier one of regulating tea prices was originated by the Ministry of Food in Britain?

(c) Has the Government's attention been drawn to the apprehensions expressed by the Indian commercial community that while Indian tea would be secured at controlled rates, it might be sold through the agency of the British Ministry of Food or its nominee, at enhanced prices yielding large profits to the British agency?

The Honourable Mr. N. R. Sarker: (a) Representations from a few commercial interests were received and considered by Government.

(b) The proposal for the governmental block purchase of the entire exportable surplus of Indian tea in order to conserve the available supply for the

purpose of equitable distribution to consuming Allied and neutral countries which rely on Indian tea, was made by His Majesty's Government. I am not quite clear to which earlier proposal of regulating the tea prices the Honourable Member refers but I may mention that the scheme contemplates purchase of tea by Government for export at rates fixed by contract between Government and the trade.

(c) Representations on these lines were received from certain Indian commercial bodies. The Government of India have obtained assurance from His Majesty's Government to the effect that the Governments of the consuming countries would give a guarantee against any profiteering in the matter of sale of Indian tea in their countries.

SUPPLY OF RICE TO CEYLON.

30. *Mr. K. O. Neogy: (a) Will the Honourable the Commerce Member be pleased to state whether the Government of India have entered into any undertaking with the Government of Ceylon for the regular supply of rice to Ceylon? What is the quantity of rice involved and at what price?

(b) How many tons of rice had been shipped to Ceylon during the years 1939, 1940, 1941 and 1942?

(c) Has the Indian public protested against the drain of its granaries to Ceylon at a time when the food stocks in the country are considered inadequate for home consumption?

(d) Are Government aware that soon after the war began, harsh measures were adopted by the Ceylon Government against Indian rice importers by purchasing their stocks at low prices without reference to the importers' cost, and that the President of the Indian Rice Merchants' Association in Ceylon had publicly protested against such action?

(e) Is it a fact that the Association was further compelled to maintain extra stocks of rice without any compensation for the increased risks undertaken?

(f) Was the Indian Rice Merchants' Association represented on the Ceylon Government's Food Advisory Committee, and has the Committee now been abolished?

The Honourable Mr. N. R. Sarker: (a) The Government of India are not committed to the supply of any specific quantity of foodstuffs to Ceylon. They have, however, undertaken to assist Ceylon in respect of her primary grain requirements as far as may be possible, having regard to India's own food position from time to time. There is no undertaking regarding price. Ceylon pays the market price for all grains purchased by it or on its behalf.

(b)	1939	.	.	.	.	.	92,740 tons.
	1940	.	.	.	.	.	103,288 tons.
	1941	.	.	.	.	.	149,034 tons.
	1942	.	.	.	.	.	176,596 tons.

(c) Certain protests have been received from Chambers of Commerce and others.

(d) With the entry of Japan into the War and the consequent threat to Ceylon's sources of supply, the Ceylon Government considered it necessary to fix maximum prices for various grades of rice. When rice rationing was introduced in February 1942, the Government assumed control of distribution throughout the Island and importers, many of whom were Indians, were required to sell stocks at controlled prices to Municipal Depots in Colombo and to specified dealers elsewhere. The prices were fixed by the Food Controller on information gathered by him after consulting individual merchants. There were some complaints that prices were inadequate.

(e) Reserve stocks of rice required to be maintained by importers under the Essential Commodities Reserves Ordinance have increased with effect from 1st April 1941. No compensation for increased risks was allowed but there was no control of price at that time.

(f) Yes, till December 1939 when a previous system of price control was abolished. There was no committee functioning till April 1942 when a new Rice Advisory Committee was formed as suggested by the Government of India.

Mr. Lalchand Navalrai: May I ask if the Honourable Member knows the adverse attitude that Ceylon has towards India by turning out Indians from their jobs there and by having stringent regulations against Indians? Is that attitude of theirs considered when making negotiations with them or not?

The Honourable Mr. N. R. Sarker: There were no negotiations with them regarding food grains.

Mr. N. M. Joshi: May I ask if he is aware of the fact that there is deficiency of rice in India on account of the conquest of Burma by the Japanese, and will the Government of India consider the advisability of stopping the export of rice to Ceylon?

The Honourable Mr. N. R. Sarker: The present policy of the Government of India is to maintain the export of a small quantity of rice to Ceylon as long as it is possible; but if the food position in India becomes so acute that we cannot maintain even this, then it will be stopped.

Maulana Zafar Ali Khan: Are the Government prepared to reconsider their policy in regard to the export of rice to Ceylon and put a stop to such exports?

The Honourable Mr. N. R. Sarker: The policy is being reviewed from time to time.

Mr. Muhammad Nauman: When the Honourable Member says "if the food position becomes so acute", what is the limit he has in mind? Is it the presumption of Government that it will become acute when the price goes to one rupee a seer or what?

The Honourable Mr. N. R. Sarker: No, it is not. As long as rice is available and a province says that they can give some of their surplus, to that extent we shall maintain it.

Mr. Muhammad Nauman: Is there any surplus at all? Has the Government of Bihar said that they have any surplus?

The Honourable Mr. N. R. Sarker: Bihar is not supplying rice to Ceylon.

Mr. N. M. Joshi: In view of the fact that India is one country, is it a proper policy for the Government of India to allow rice from one province to be exported on the ground that that province alone has a surplus of rice?

The Honourable Mr. N. R. Sarker: This is not our policy. I only said, as long as it can be maintained; we are maintaining a small quantity of export to that country.

Mr. N. M. Joshi: Will the Government of India lay down certain standards by which the agonies of the people of this country should be judged as being tolerable?

The Honourable Mr. N. R. Sarker: What we are exporting to Ceylon amounts to not more than two days' consumption out of our rice consumption during the whole year.

Maulana Zafar Ali Khan: Does the Honourable Member know that even in provinces considered to be surplus, the price of rice has become prohibitive?

The Honourable Mr. N. R. Sarker: Yes; the price has risen.

Sir Abdul Halim Ghuznavi: Is the Honourable Member sure that no rice has been exported from Bengal to Ceylon?

The Honourable Mr. N. R. Sarker: Not recently: some quantities were exported from Denial Rice before.

Sir Muhammad Yamin Khan: Does the Honourable Member think that the prices prevailing in India have not reached that limit at which the poorer people

cannot afford to purchase, and is that not a justification to stop any more export outside India?

The Honourable Mr. N. R. Sarker: The quantity involved will have little effect on prices.

(Maulvi Muhammad Abdul Ghani rose to ask a question.)

Mr. President (The Honourable Sir Abdur Rahim): This matter can be debated afterwards.

PAPER POSITION.

31. *Mr. K. C. Neogy: (a) Will the Honourable the Commerce Member be pleased to state whether the Government of India have decided to requisition any definite percentage of the output of Indian paper mills?

(b) What is the estimated total annual tonnage of Indian paper manufacture to-day, and how far does it represent an improvement on the position before the war?

(c) What was the average annual import of foreign paper into India before the war, and what has been the amount of the import, if any, in recent months?

(d) What was the average annual amount of pre-war consumption of paper by Government and non-governmental sources in India?

(e) If Government requisitioned any definite percentage of the total Indian production, how much paper would be left for civilian needs?

(f) Have Government received representations from public bodies and educational institutions that the quantity of paper available after Government requisition would be extremely inadequate for civilian needs?

(g) Have Government been requested by these bodies to include paper also as one of the essential commodities, and thus secure priority in shipping space for imports from foreign countries?

(h) Is it intended to export to the Middle East, or elsewhere, a portion of the stock requisitioned by Government? If so, what is the quantity to be thus exported?

(i) Have Government effected any economies in their consumption of paper and with what results?

(j) How many tons of paper are required per year for the publication of *Indian Information*, and how many copies of this journal are being printed per issue?

(k) What is the amount of newsprint stocks in this country at present?

(l) Have newspaper interests represented to the Government that unless shipping facilities were afforded to them for the import of newsprint, they would have to go out of publication? What action do Government propose to take in this matter?

(m) Are any steps being taken by Government to encourage the growth of a newsprint industry in India, taking advantage of the cessation of imported newsprint?

(n) Are Government aware that in Australia it was possible to start a big newsprint industry after the war began with the aid of imported sulphite pulps? Do Government propose to take similar measures in India to induce the birth of an indigenous industry in newsprint?

The Honourable Mr. N. R. Sarker: (a) Yes.

(b) Approximately 96,000 tons which represents an increase of about 42,000 tons over the average annual production during the three pre-war years 1936-37, 1937-38 and 1938-39.

(c) The average import of paper (including newsprint, paper manufactures and old newspapers) during the three pre-war years 1936-37 to 1938-39 amounted to about 165,000 tons per annum. The average monthly imports of paper during the period 1st April to 31st October, 1942 was about 2,285 tons.

(d) The average annual pre-war consumption of paper by Government sources was about 20,000 tons and approximately 199,000 tons would represent consumption of paper of all kinds including board and a certain quantity of old newspapers imported from abroad by non-governmental consumers.

(e) About 9,600 tons a year.

(f) Yes.

(g) Yes.

(h) Yes, to the Middle East, about 7,500 tons between November 1942 and March 1943.

(i) Yes. The measures enforced are estimated to result in a saving of 10,000 tons in consumption of the Central Government alone during the second half of the current financial year. Central Provisions Office's demand for the same period has been cut down by 1,500 tons and outstanding supplies to Provincial Governments and Indian States reduced by 10 per cent. at the mills.

(j) About 183 tons based on consumption during 1942. The average number of copies per issue printed in 1942 was 35,450, 13,430 and 11,400 of the English, Urdu and Hindi editions respectively. 30,770 copies of the latest issue (dated February 15, 1943) of the English edition, 13,236 copies of the Urdu edition (dated February 1, 1943) and 12,114 copies of the Hindi edition (dated February 1, 1943) are being printed.

(k) The stocks of newsprint in the country at the end of November 1942 were about 11,192 tons.

(l) Yes. For the shipment of newsprint from North America, the Government of India have accorded as high a priority as is consonant with the importance of this commodity in relation to other cargo offering for shipment. It is proposed shortly to consider the whole question in consultation with newspaper interests.

(m) and (n). Government are aware that newsprint is being manufactured now in Australia. The possibility of manufacturing newsprint in this country is already under investigation.

Sir F. E. James: Is the Honourable Member aware of the steps taken in the United Kingdom by the appointment in connection with the Ministry of Production of a Paper Economy Committee under the chairmanship of a distinguished Chartered Accountant to assist in obtaining a reduction in the consumption of paper? If not, will he consider following the practice of the United Kingdom with special reference to the extravagant consumption of paper by Government Departments, particularly, the Defence and War Departments, and the enormous use of paper in forms of all kinds, sizes and lengths, most of which could be abolished with great advantage to the machinery of Government?

The Honourable Mr. N. R. Sarker: The matter of economy of paper is under the consideration of the War Resources Committee and they are taking every step to economise in the case of paper for Government's consumption.

Sir Cowasjee Jehangir: In answer to part (h), did I understand the Honourable Member correctly when he said, Yes?

The Honourable Mr. N. R. Sarker: Yes.

Sir Cowasjee Jehangir: If that is so, may we know why it is being shipped to the Middle East when we have such scarcity in this country?

The Honourable Mr. N. R. Sarker: We have arranged to stop this export from April next. We are already committed to supply to the Eastern Group Supply Council. We are doing so only for this quarter. We shall stop it altogether from April.

Sir Cowasjee Jehangir: Should not the Honourable Member have, when he realised the great scarcity in this country, stopped it immediately? After all, an undertaking may be given, but when there is a great scarcity, common-sense should prevail.

The Honourable Mr. N. R. Sarker: We have reduced it; this 7,500 tons we want to supply to them, and then from April we shall stop all exports to them.

Sir Cowasjee Jehangir: Was it Indian paper that was exported, or imported paper which was re-exported?

The Honourable Mr. N. R. Sarker: Both imported and Indian produced.

Pandit Lakshmi Kanta Maitra: With reference to his answer to part (j) of the question, may I enquire from the Honourable Member if Government have considered the desirability of reducing the size of the publication *Indian Information*?

The Honourable Mr. N. R. Sarker: The Honourable Member will have to put that question to the Honourable Member-in-charge of Information Department

CEYLON'S DEMAND FOR INDIAN LABOUR.

†32. ***Mr. K. G. Neogy:** (a) Will the Honourable Member for Indians Overseas please state if it is a fact that Ceylon has recently made a request for supply of fresh labour from India for work on the plantations? If so, what is the number asked for?

(b) Was this demand from Ceylon communicated to Government directly or did it come through the Colonial or India Office?

(c) Has Sir Baron Jayatilaka, Ceylon Government's representative in India, made any special representation in this connection?

(d) Is it a fact that the Ceylon Government, or some of the Ceylon Ministers, have openly stated that the extra labour now asked for is only for the duration of the war and that it will be compulsorily repatriated at the end of the war?

(e) Have the Ceylon Government intimated to the Government of India the terms on which this fresh labour will be recruited and the rules and regulations governing their political rights and status in the Island?

(f) Has this request for extra labour come direct from Ceylon and has any special "advice" been given by India Office or Colonial Office, or both, to the Government of India to agree to this demand?

The Honourable Mr. M. S. Aney: (a) Yes; for about 20,000 labourers for work on rubber plantations.

(b) The request of the Ceylon Government was addressed direct to the Government of India and did not come through the Colonial or India Office.

(c) Sir Baron Jayatilaka has made no special representations but has intimated the desire of the Government of Ceylon to receive as early a reply as possible.

(d) The Government of India are not aware whether the Ceylon Government or any Ceylon Minister has made any such statement in public; but the official request received from the Government of Ceylon contains the suggestion that the extra labour now asked for should be recruited subject to "repatriation to India at the end of the war or other period stipulated by agreement".

(e) The Government of Ceylon have proposed that this fresh labour should be recruited on pay and conditions of employment identical with those of other Indian labourers now in the Island. The Ceylon Government have not made any mention of their political rights and status in the Island.

(f) As stated in reply to part (b) the request has come direct from the Government of Ceylon. The Colonial Office and the India Office are aware of the request but have not addressed the Government of India on the subject.

†Answer to this question laid on the table, the questioner having exhausted his quota.

EXPORT OF FOODGRAINS FROM INDIA.

33. *Sardar Sant Singh: Will the Honourable the Commerce Member be pleased to state:

- (a) the quantity of wheat, rice and other grain exported from India in the year 1942;
- (b) the provinces from which they were exported; and
- (c) the countries to which exported commodities were sent?

The Honourable Mr. N. R. Sarker: (a) Wheat including wheat products 54,917 tons; rice 330,385 tons; other grains 9,381 tons.

(b) As the same port serves more than one province, it is not possible to determine the share of each province from the available figures.

(c) Wheat and rice:

Ceylon, Arabia, Aden and Dependencies, Mauritius and small miscellaneous quantities to other countries.

Information regarding destinations of other grains is not available.

Mr. Lalchand Navalrai: With reference to the reply to part (b) of the question, may I know from which provinces they were exported, never mind the quantities which were exported?

The Honourable Mr. N. R. Sarker: I want notice.

Sardar Sant Singh: May I know whether these figures include the quantities exported for the purposes of the defence services, for the army?

The Honourable Mr. N. R. Sarker: No.

Sardar Sant Singh: May I know what is the quantity that is exported for the purposes of the army outside India?

The Honourable Mr. N. R. Sarker: I want notice.

EXPENDITURE BY PORT HAJ COMMITTEES ON FACILITIES FOR PILGRIMS.

34. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: With reference to the statements of income of the Port Haj Committees on pages 125-127 of the Special Haj Inquiry Report, will the Honourable Member for Indians Overseas kindly state:

- (a) the actual amount spent by each Port Haj Committee for the provision of facilities and amenities during the years under review; and
- (b) the nature of such facilities?

The Honourable Mr. M. S. Aney: (a) and (b). The information is being collected and will be laid on the table of the House.

FACILITIES AND ARRANGEMENTS AT THE KARACHI HAJ PILGRIM CAMP.

35. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will the Honourable Member for Indians Overseas please state:

- (a) whether a camp is in existence in Karachi for accommodation of pilgrims;
- (b) whether any beds or mats are supplied in the camp buildings for the use of pilgrims;
- (c) whether rooms are fitted with electric lights;
- (d) if the answers to parts (b) and (c) be in the negative, who is responsible for the negligence in this respect; and
- (e) whether Government propose to take any action in the matter?

The Honourable Mr. M. S. Aney: (a) Yes.

(b) and (c). No.

(d) and (e). Pilgrims bring their own mats and beds when they arrive in the Pilgrim Camp. No other arrangements are considered necessary. The recommendations made in the Special Haj Inquiry Report in regard to lighting arrangements in new buildings in the Camp are receiving attention.

FACILITIES AND ARRANGEMENTS AT THE KARACHI HAJ PILGRIM CAMP.

36. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Is the Honourable Member for Indians Overseas aware that no Post and Telegraph Office is maintained in the Karachi camp during the pilgrim season and consequently pilgrims who are mostly foreigners to the town, are put to much inconvenience?

(b) Does he propose to see that this facility is provided in future?

The Honourable Mr. M. S. Aney: (a) and (b). A Post and Telegraph Office is maintained in the Pilgrim Camp, Karachi, for four months during the outward pilgrim season. It was not maintained during the pilgrim seasons of 1940-41 and 1941-42 as they lasted only for about four weeks each year owing to a limited number of sailings in war time. A letter box was however kept in the Camp and pilgrims were also given facilities to purchase post cards, envelopes, stamps, etc., at the office of the Port Haj Committee, Karachi.

FACILITIES AND ARRANGEMENTS AT THE KARACHI HAJ PILGRIM CAMP.

37. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Is the Honourable Member for Indians Overseas aware that the existing arrangements at Karachi for pilgrims, e.g., medical, residential and sanitary, are not satisfactory?

(b) Does he propose to convene a meeting of the Central Standing Haj Committee at Karachi during the rush period of the next pilgrim season to enable the members to obtain first hand knowledge of the arrangements and to suggest suitable remedies?

The Honourable Mr. M. S. Aney: (a) The existing arrangements in the pilgrim camp, Karachi are satisfactory. The question of further improvements is under consideration.

(b) I shall consider the suggestion.

DESIRABILITY OF EARLY MEETINGS OF THE CENTRAL STANDING HAJ COMMITTEE.

38. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: Does the Honourable Member for Indians Overseas propose to convene a meeting or meetings of the Central Standing Haj Committee during the current Budget Session of the Legislature to consider the rest of the recommendations so that Government may take the necessary action before the opening of the next pilgrim season?

The Honourable Mr. M. S. Aney: A meeting will be held on the 20th February, 1943.

HOARDING OF FOODSTUFFS BY MILITARY.

39. *Mr. Lalchand Navalrai: (a) Has the attention of the Honourable the Food Member been drawn to a contribution in *Smid Observer*, dated the 12th January, 1943, under the caption "Hoarding by Military" to the effect that the military has been hoarding the food stuffs more than necessary?

(b) Is it a fact that food stuffs for the military are being hoarded so much so that some of them are wasted?

(c) For how long in advance are food stuffs being collected for the military in anticipation of their future use?

(d) Is it a fact that at Karachi recently some flour, about 3,000 bags or so, were auctioned at a cheap rate by the military on the ground that the flour was in a contaminated condition and unfit for human use? If so, when was that flour purchased? For how long had it remained in stock?

(e) What steps do Government propose to take to check the hoarding of food stuffs and such other materials by the military?

The Honourable Mr. N. R. Sarker: (a) and (b). The Food Department has no such information.

(c) Foodgrains purchased for the Defence Forces are, after milling where necessary, passed immediately to the Base Depots for distribution to the Forces.

(d) The question refers presumably to the atta contained in three railway wagons which had been cut off on their way from the Mills to Karachi by the

Indus Floods and which could not be traced for many months. When the wagons eventually arrived at Karachi, the atta had deteriorated so as to be unfit for military use and was consequently auctioned.

(e) Does not arise.

Mr. Lalchand Navalrai: May I know if the Honourable Member has read what has been stated in the *Sind Observer*?

The Honourable Mr. N. R. Sarker: I have not seen it.

Mr. Lalchand Navalrai: I want to know whether the Honourable Member was supplied with a cutting of this?

The Honourable Mr. N. R. Sarker: My attention has been drawn to it, but I have no such information that they are hoarding.

Mr. Lalchand Navalrai: The point is, has the Honourable Member made enquiries either to contradict the statement made there or to say that it is a false one?

The Honourable Mr. N. R. Sarker: It is not possible to contradict every newspaper writing.

Mr. Lalchand Navalrai: This question is very important. Has the Honourable Member made enquiries from the Local Government?

The Honourable Mr. N. R. Sarker: It is not necessary to enquire from the Local Government. How can the Local Government enquire whether the defence forces are hoarding or not?

Mr. Lalchand Navalrai: The point is, so many bags had been stored and that shows that there has been wastage. Is not the Honourable Member responsible for seeing that there is no hoarding?

The Honourable Mr. N. R. Sarker: I have enquired and given my reply to part (d) of the question.

Maulana Zafar Ali Khan: If the flour was unfit for human consumption, why was it not destroyed instead of being sold?

The Honourable Mr. N. R. Sarker: People might buy it for cattle or for other purposes.

Mr. Govind V. Deshmukh: Have the military authorities contradicted the news which appeared in the *Sind Observer*?

The Honourable Mr. N. R. Sarker: I do not think so.

Sir Cowasjee Jehangir: Will the Honourable Member say whether in the future his department will buy for the military?

The Honourable Mr. N. R. Sarker: Yes.

Sir Cowasjee Jehangir: Who is to judge of the quantity required for the military? Will the department have any voice as to the quantity required by the military?

The Honourable Mr. N. R. Sarker: I think we shall have to buy on military requisition.

Sir Cowasjee Jehangir: And the Department will have no voice as to the quantity required?

The Honourable Mr. N. R. Sarker: I do not think so.

RICE AND WHEAT POSITION.

40. **Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable the Food Member be pleased to state the stock of rice and wheat in India province by province on the 31st December, 1941? What was the total tonnage of rice and wheat, separately, province by province, produced in India in 1942 and what was the balance of the same commodities left on the 31st August, 1942?

(b) What was the consumption of rice and wheat in India province by province by civil population and military population, separately, within India and abroad between the 31st August, and 31st December, 1942?

(c) What tonnage of rice and wheat had been exported out of India and where? How much of it was for war purposes and how much was for supply to the civil population out of India?

(d) What is the number of Indians who used to consume rice and wheat respectively, who are now being supplied with the same outside India for military service and clerical service in connection with the war?

(e) What was the total tonnage of rice and wheat set apart as quota for supply to military services and civil population in India and out of India?

(f) What was the total tonnage of millet and maize produced in India in 1942 and the balance in stock left on the 31st December, 1942?

(g) What was the average price index of rice; wheat, millet, maize and barley during 1942 and what is their price index now?

(h) Is the Honourable Member aware of the fact that in England the wholesale price of staple food has risen only by 5½ per cent. in course of the years 1940, 1941 and 1942? If so, why have the wholesale prices of staple food gone up at such a high percentage in India?

The Honourable Mr. N. R. Sarker: (a) No statistics exist regarding stocks of food grains in India on particular dates.

Estimates of the total production in 1942 based on the final forecasts of 1941-42 province by province are given in the statement laid on the table.

No estimate of the balance left on the 31st of August, 1942, can be given.

(b) The information asked for is not available.

(c) Export figures of rice, wheat and wheat flour on civil account are given in the statement laid on the table. Figures for export on military account must be withheld in the public interest.

(d) and (e). It is not in the public interest to disclose these figures.

(f) The production of millets (jowar and bajra) in 1942 was estimated at 92 lac tons and of maize at 20 lac tons. Information regarding the stocks left on the 31st of December, 1942, is not available.

(g) The average price indices of rice and wheat are given in the statement laid on the table. Average price indices in respect of millets, maize and barley are not maintained.

(h) In England prices rose from 118 in December 1939 to 156 in September 1942 (1930=100) showing thereby a rise of about 33 per cent. Control of prices cannot be really effective without control of supplies and such control is much easier in England where the bulk of the cereal requirements are imported and where internal production is carried on by a comparatively few substantial farmers than in India where practically the whole food supply is produced in the country by several million agriculturists most of whom are subsistence farmers. The Honourable Member is also doubtlessly aware that agricultural prices in India were abnormally low for a period of ten years before the war and hence a mere comparison of price indices will be misleading.

Statement.

Exports of Rice.

	1942
	Tons.
(i) Rice in the husk	38,866
(ii) Rice not in the husk	288,508
(iii) Rice, flour and ground rice	3,011

Exports of wheat and wheat flour.

	1942
	Tons.
(i) Wheat	29,468
(ii) Wheat flour	25,449

STARRED QUESTIONS AND ANSWERS
Average price index of rice and wheat.

87

(Base : week ending 19th August, 1939= 100.)

1942	Rice	Wheat
January	151	199
February	158	200
March	159	202
April	169	216
May	173	208
June	207	214
July	207	224
August	218	222
September	218	223
October	218	224
November	218	232
December	218	232
1943		
January	218*	230*

*Relate to the average for three weeks only.

Index Nos. of millet, maize and barley are not available.

Tonnage of rice in 1941-42 (based on Final Rice Forecast.)

(In lakh tons.)

	1941-42
Assam	14.66
Bengal	102.17
Bihar	27.47
Bombay }	7.69
Bombay States }	20
Baroda	12.14
C. P.	60
C. P. States }	50.80
Coorg	13.80
Madras }	2.99
Madras States }	3.92
Orissa	15.81
Punjab	1.07
Sind	2.31
U. P.	
Hyderabad	
Mysore	
Total	255.63

Wheat production in 1941-42—final estimates.

(In lakh tons.)

Ajmer-Merwara . . . . .	.05
Bengal . . . . .	.41
Bihar	4.85
Bombay (a)	3.36
C. P. and Berar (b)	4.00
Delhi . . . . .	.11
N.-W. F. P.	2.38
Orissa . . . . .	.01
Punjab (c)	43.93
Sind (d)	4.10
U. P. (e)	26.57
Baroda . . . . .	.41
Central India States	2.88
Gwalior	2.99
Hyderabad	1.34
Mysore . . . . .	.005
Rajputana States	3.31
	<hr/>
	100.70

- (a) Including Bombay States.
 (b) Including Eastern Agency States.
 (c) Including Punjab States.
 (d) Including Khairpur State.
 (e) Including Rampur State.

Sardar Sant Singh: May I know with reference to the reply to part (b) of this question, what is the estimated consumption of the military population in India of wheat for the current year?

The Honourable Mr. N. R. Sarker: I must ask for notice.

GOVERNMENT AGENCIES FOR PURCHASE OF WHEAT.

41. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable the Food Member please state if it is a fact that formerly there was one agency appointed by Government to purchase wheat on Government account? Is it a fact that now six or seven such agencies have been set up to purchase on the account of the Government?

(b) Will the Honourable Member be pleased to state the names of such agencies and the terms on which they have been appointed? Have these appointments been made in consultation with the Supply Committee? Will the Honourable Member be pleased to state on what credentials by whom and on whose recommendations they have been chosen?

(c) Have such agencies been appointed in all the provinces in India, separately, or have they been appointed only for purchases on the account of the Central Government in Centrally Administered areas?

The Honourable Mr. N. R. Sarker: (a) Prior to November 25th, 1942, there was only one Agency purchasing wheat on Government account. This Agency made purchases for the Defence Forces only. Since then three additional temporary Agencies have been appointed to operate in the Punjab in connection with the Government purchase of wheat for civil consumption also.

(b), (i). The names of the additional Agencies are (1) Messrs. Gopal Singh Hira Singh, Amritsar, (2) Messrs. R. B. L. Benarsidas & Co., Ltd., Ambala, (3) Messrs. Gerimal Jethanand, New Delhi. The terms on which they have been appointed are confidential and it is not considered to be in the public interest to disclose them.

(ii) The appointment of these agents was made by the Wheat Commissioner for India and the Controller General of Foodstuffs in consideration of their general standing and experience in the grain trade.

(c) Similar Agencies have not yet been appointed in any area other than the Punjab.

Sardar Sant Singh: May I ask the Honourable Member if the agencies that have been established in the Punjab for the purchase of food stuffs are the agencies which have been dealing in grain in the past?

The Honourable Mr. N. R. Sarker: Yes.

Sardar Sant Singh: May I know if Sir William Roberts of Khanewal, Member of the Punjab Assembly, is a commission agent in the Punjab in any sense? Has he ever dealt with commission agencies in the Punjab?

The Honourable Mr. N. R. Sarker: He is Adviser to the Punjab Government, as far as I know. He is not our Agent.

Sardar Sant Singh: In regard to the persons who have been appointed by the Government of India, have they taken care that the persons who have been dealing in grains should be appointed as agents for the purchase of the stuff?

The Honourable Mr. N. R. Sarker: They are in the grain trade, all of them. They have been purchasing for Government for a long time. Gopal Singh Hira Singh, Benarsidas and Gerimal Jethanand are wheat merchants.

Sardar Sant Singh: I was referring to Sir Owen Roberts. I am sorry I gave the wrong name. Has he ever dealt with grain? He is a farmer, producing grain.

The Honourable Mr. N. R. Sarker: His is a firm for dealing with grains.

Mr. Muhammad Nauman: The Honourable Member said that the terms on which these agents have been appointed are confidential. Are the Government satisfied that they have been able to secure the best terms from them?

The Honourable Mr. N. R. Sarker: We have secured the best terms—the usual terms prevailing in the trade.

Mr. Muhammad Nauman: The terms have not been disclosed. How can the Honourable Member say that they are the best terms?

The Honourable Mr. N. R. Sarker: The usual terms which were prevalent in the trade.

Sir Muhammad Yamin Khan: What is the basis of the commission? Is it based on maundage or the price?

The Honourable Mr. N. R. Sarker: I think the basis is quantity.

Sir Muhammad Yamin Khan: That depends on how much quantity is available in a particular area. How can they purchase in the Delhi province?

The Honourable Mr. N. R. Sarker: They are purchasing.

Pandit Lakshmi Kanta Maitra: Three additional temporary agencies have been set up to make purchases for civilian needs. Do I take it that the civilian needs means Government servants or the civil servants of the Government of India?

The Honourable Mr. N. R. Sarker: For the public.

Pandit Lakshmi Kanta Maitra: What is the method of distribution? How will the supplies be available for public consumption?

The Honourable Mr. N. R. Sarker: Through the various Provincial Governments.

Sardar Sant Singh: Is the Honourable Member aware that most of the trouble for wheat not coming into the market has been due to the fact that various authorities appointed for the purpose do not deal in grain and the result has been acute shortage in the market?

The Honourable Mr. N. R. Sarker: I am not aware of that.

Sardar Sant Singh: Will the Honourable Member make inquiries and make himself acquainted with the facts, so that there may be no trouble in the future?

The Honourable Mr. N. R. Sarker: Under our present scheme, it is not necessary.

Sir Muhammad Yamin Khan: What is the quantity required for civilian consumption and what is the quantity that the Honourable Member purchases for the army?

The Honourable Mr. N. R. Sarker: Those figures cannot be supplied.

DURBAN CITY COUNCIL'S MOVE FOR EXPROPRIATION OF INDIAN-OWNED LANDS.

42. *Mr. Govind V. Deshmukh: Will the Honourable Member for Indians Overseas please state:

- (a) if there has been a move on the part of the Durban City Council involving the expropriation of Indian-owned lands at Riverside, Merebank and Sydneham;
- (b) if the Government of India have taken any steps to see that Indians do not suffer any monetary loss and that Indians are not excluded from the areas mentioned above on grounds of racial discrimination? If so, will they please mention the steps taken in detail; and
- (c) what percentage of the Indian-owned lands has been expropriated by the Durban City Council, if it has done so?

The Honourable Mr. M. S. Aney: (a) Some months ago the Durban City Council had under consideration a slum clearance and rehousing scheme which

would have involved the compulsory acquisition of lands belonging to Indians as well as non-Indians in Riverside, Merebank and Sydneham.

(b) The High Commissioner in South Africa discussed the Scheme with the authorities concerned and it is understood that the Durban City Council has decided not to go ahead with the scheme for the present.

(c) Does not arise.

Mr. Govind V. Deshmukh: What is the reason for the expropriation of lands belonging to Indians as well as non-Indians?

The Honourable Mr. M. S. Aney: In certain parts of the Durban city, there are slums and a slum clearance scheme was under consideration. The scheme would have necessitated the segregation of Indians on one side and Europeans on the other. But the scheme was held up for the present. We shall further investigate into the matter at the proper time.

UNEMPLOYED MALE INDIANS IN NATAL.

43. *Mr. Govind V. Deshmukh: Will the Honourable Member for Indians Overseas please state:

- (a) the number of male Indians in Natal;
- (b) the number of male Indians listed as unemployed;
- (c) the grounds for unemployment of these male Indians; and
- (d) if anything has been done to get the Indians, who are unemployed, any work to bring them relief in these hard times?

The Honourable Mr. M. S. Aney: (a) According to the report of the Protector of Indian Immigrants, the number of adult male Indians in Natal was 40,928 on December 31, 1941.

(b) The same report shows 26,000 of them as working under certain recognised categories of employers but does not indicate the number engaged in domestic service, vegetable gardening, farming, private business, etc., and does not give the number of those actually unemployed. There has been no survey of unemployment since the 1936 Census when the position of Indians compared favourably with that of other racial groups. Professor Burrows who has been conducting an economic survey of the Indian community has reported that industrial and agricultural employment among Indians are at a high level.

(c) and (d). Information reaching the Government of India suggests that unemployment is not serious. The High Commissioner is constantly watching the position in the various industries in which Indians find employment and has been successful in more than one case in securing their due recognition.

†44*.

GOVERNMENT DEPARTMENTS WORKING AS AGENTS FOR THE UNITED KINGDOM COMMERCIAL CORPORATION.

45. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Commerce Member please state whether it is a fact that some of the departments of the Government work as purchasing or despatching agents for the United Kingdom Commercial Corporation? If so, are such departments paid any commission or remuneration?

The Honourable Mr. N. R. Sarker: The question has been taken up by the Supply Department and will be answered by the Honourable the Supply Member on the 18th February.

PURCHASE OF FOODGRAINS BY THE DEFENCE DEPARTMENT AT HIGHER RATES.

46. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Commerce Member please state if it is a fact that the Defence Department make purchases of articles of food and other commodities for military purposes at a rate higher

†This question was withdrawn by the questioner.

than the rate fixed for the public? If so, will he please state the reason for such higher payments?

The Honourable Mr. N. R. Sarker: The Food Department are not aware of purchases having been made for the Defence Forces at rates higher than the statutory maxima, except in the case of the wheat purchased by Government agents in the Punjab for a few weeks prior to the removal of the control price on that grain. During this period the Government agents were exempted by order from the control rate in order that the reactions of the market to an increase in prices might be tested. As for goods and other commodities of which the price is not controlled the purchase for the Defence Forces are made at the market rate.

Sardar Sant Singh: Is it a fact that a Circular was issued exempting the persons who have been purchasing for the military at a price higher than the controlled rate and not to prosecute them while those who sold those things were not exempted from prosecution?

The Honourable Mr. N. R. Sarker: I have already said in my answer that we provided to exempt the purchasers so that we might test what would be the level of price after we had removed the price control.

Sardar Sant Singh: My question is whether the same exemption was extended to the sellers as well? I know that it was extended to the purchasers.

The Honourable Mr. N. R. Sarker: I do not know that any seller has been prosecuted under that order.

Sardar Sant Singh: Is it not a fact that some District Magistrates in the Punjab have confiscated the stock of the zamindars in the Punjab at the controlled price while the same thing was being sold to the military at Rs. 7-8-0 per maund and the owner was paid only Rs. 5 per maund?

The Honourable Mr. N. R. Sarker: I am not aware of that.

Sardar Sant Singh: Will the Honourable Member make inquiries into this matter?

The Honourable Mr. N. R. Sarker: Yes.

SUPPLY OF INDIAN LABOUR TO CEYLON.

47. *Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Indians Overseas please state:

- (a) the number of Indian labourers supplied to the Government of Ceylon and the condition on which, and the time when, such labourers were so supplied; and
- (b) the other facilities given to the Ceylon Government by the Government of India during the war?

The Honourable Mr. M. S. Aney: (a) On the presumption that the Honourable Member refers to Ceylon's request for additional labour from India to work on rubber estates, the answer is none.

(b) On account of the circumstances arising out of the war, certain quantities of rice have been supplied to Ceylon.

CEYLON'S DEMAND FOR INDIAN LABOUR.

48. *Mr. T. T. Krishnamachari: Will the Honourable Member for Indians Overseas please state:

- (a) whether the Ceylon Government have requested the Government of India for supply of Indian labour to work in Ceylon Estates;
- (b) whether the Government of India intend to lift the ban on the supply of labour in response to this request; and
- (c) if the answer be in the affirmative, whether settlement of all outstanding questions in regard to the status of Indians in Ceylon would precede the lifting of the ban?

The Honourable Mr. M. S. Aney: (a) Yes.

(b) and (c). The matter is still the subject of correspondence between the two Governments and no final decision has yet been reached.

DISMISSAL OF INDIAN BOATMEN FROM COLOMBO HARBOUR.

49. *Mr. T. T. Krishnamachari: Will the Honourable Member for Indians Overseas please state:

- (a) whether twelve Indian boatmen were dismissed from the Colombo Harbour on the ground that they were Indians; and
- (b) whether any action in this matter was taken by the Government of India and with what result?

The Honourable Mr. M. S. Aney: (a) The twelve Indian boatmen were discharged from the Colombo Harbour to make room for Ceylonese.

(b) The Agent of the Government of India in Ceylon made representations in the matter; he has reported that the Indian boatmen have now been engaged by private employers.

DISCRIMINATION AGAINST INDIANS UNDER THE CEYLON "BUS ORDINANCE".

50. *Mr. T. T. Krishnamachari: Will the Honourable Member for Indians Overseas please state:

- (a) whether his attention has been drawn to the definition of 'Ceylonese' in the 'Bus Ordinance';
- (b) whether this is not calculated to prejudice the claims of Indians settled in Ceylon for full citizenship rights;
- (c) what action, if any, has been taken by Government in this connection and with what result; and
- (d) whether this Ordinance is consistent with the assurances given by the Government of Ceylon to avoid discriminatory measures pending the conclusion of an Indo-Ceylon Agreement?

The Honourable Mr. M. S. Aney: (a) Yes.

(b) This is a matter of opinion.

(c) The Government of India represented the matter to the Ceylon Government who in their reply have stated that the promulgation of the ordinance was immediately necessary for the rationalisation of the trade and that no existing Indian interests are involved as the ownership of Omnibus Companies in the Island is without exception in the hands of Ceylonese.

(d) This again is a matter of opinion.

Mr. Lalchand Navalrai: May I know from the Honourable Member—I am repeating the same question that I put to the Honourable the Commerce Member—whether he is aware that the attitude of the Ceylon Government towards India was very much adverse before the war? As the Honourable Member is now giving that Government various facilities, for example, labour, is he asking for reciprocity from that Government?

The Honourable Mr. M. S. Aney: The Bill for the reciprocity will be before the House and it is for the House to consider what powers it should give to Government.

Mr. Lalchand Navalrai: What about the answer to my first part of the question?

The Honourable Mr. M. S. Aney: The difficulties are known to the Government.

Mr. Lalchand Navalrai: And yet the Government of India are extending them help when the Ceylon Government does not help the Indians?

The Honourable Mr. M. S. Aney: I think if a specific question about any help is asked, the answer can be given.

RICE RATION FOR THE INDIAN LABOURERS IN CEYLON.

51. *Mr. T. T. Krishnamachari: Will the Honourable Member for Indians Overseas please state:

- (a) the rice ration fixed for the Indian labourers in Ceylon;
- (b) whether the Government of India consider this ration adequate considering the fact that these labourers are accustomed only to rice diet and they have to work hard; and
- (c) whether any representations have been made in the matter?

The Honourable Mr. M. S. Aney: (a) The present scale of weekly ration in terms of rice is:

Infant	1 measure.
Child	1½ measures.
Ordinary	2 measures.
Male workers	2½ measures.

Only one-fourth of this ration is issued in rice. Paddy, wherever available may be issued in lieu of this rice at the rate of two measures of paddy for one measure of rice. The other three-fourths of the ration is issued in wheat flour, whole wheat or kurakkan, whichever is available. For this purpose one measure of rice will be equivalent to 2 lbs. of wheat flour or one measure of whole wheat or one measure of kurakkan.

(b) No.

(c) The Agent of the Government of India is in constant touch with the authorities concerned and has made suitable representations in the matter.

UNSTARRED QUESTIONS AND ANSWERS.

PURCHASE OF RICE BY THE GOVERNMENT OF BENGAL.

10. Mr. K. C. Neogy: (a) Has the attention of the Honourable the Food Member been drawn to question No. 24, asked in the Bengal Legislative Council on the 25th September, 1942, on the subject of purchase of rice by the Government of Bengal, in the course of reply to which it was stated on behalf of the Government of Bengal (i) that the said Government had purchased some rice and paddy, but that the arrangements were later taken over by the Government of India; (ii) that no information as regards the quantity of rice and paddy so purchased and the price at which the purchase was made, could be disclosed without the consent of the Government of India, and that it would not be in the public interest to ask for the Government of India's consent in this matter at that stage; and (iii) that the purchases were originally made to remove the surplus from the coastal areas in the public interest?

(b) Will the Honourable Member be pleased to make a comprehensive statement explaining the whole transaction in so far as the Government of India may be a party thereto, directly or indirectly?

(c) What quantities of rice and paddy were involved in this transaction; at what average prices were they purchased; and for what purposes were they utilised? Is the plan of such purchases still being pursued? If so, what is the present programme in that behalf?

The Honourable Mr. N. R. Sarker: (a) and (b). The Scheme referred to by the Honourable Member was framed last year at a time when there was an imminent threat of invasion and aimed at removing surplus stocks of paddy and rice from the coastal areas of Bengal to areas where there would be less risk of their falling into enemy hands.

(c) (i) and (ii). The quantities purchased and the prices paid are approximately as follows:

Rice	5	lacs	maunds	Rs. 5	13	6	per	maund	at	point	of	purchase
Paddy	5½	„	„	Rs. 3	12	6	„	„	„	„	„	„

(iii) Except for a small quantity of 68,000 mds. exported to Ceylon the entire quantity purchased was taken over and utilised by the Bengal Government for sale and distribution within Bengal.

- (iv) It is not proposed to make further purchases under this scheme.
 (v) Does not arise.

EXPORTS, IMPORTS, ETC., OF FOODGRAINS.

11. Mr. K. C. Neogy: Will the Honourable the Food Member be pleased to make a statement showing, year by year for the last five years ending with December, 1942:

- the quantities of exports of wheat, rice and other food grains from India, separately, and how much of these quantities was exported on Government account each year;
- the quantities of imports of wheat, rice and other food grains into India in the corresponding periods, separately;
- the approximate quantities involved in the commitments, if any for the export of these articles on Government account during the first two quarters of 1943;
- the quantities of wheat, rice and other food grains purchased on Government account for consumption in India during these separate periods; and
- the average prices paid by Government for the purchase of wheat, rice and other food grains month by month in 1942, separately, and how they compare with the actual prevailing prices at which these were available to the public in the principal centres of consumption thereof?

The Honourable Mr. N. R. Sarker: (a) and (b). A statement showing exports from and imports into India of all foodgrains during calendar years from 1938 to 1942 is placed on the table. The export and import figures relate to exports and imports on civil account only. The only exports on Government account are for the Army and it is not in the public interest to reveal figures of such exports.

(c) Government have made no commitments for the export of foodstuffs during the first two quarters of 1943, but they have agreed to supply to Ceylon such quantities of rice as it may be possible to spare, taking into consideration the available supplies in India.

(d) The only grains purchased in India on Government account for consumption in India (other than for military requirements, figures for which cannot be revealed in the public interest) are wheat and rice. Quantities purchased in 1942 amounted to wheat 1,659 tons, rice (including paddy) 40,000 tons. No purchases were made in previous years.

(e) These figures are not readily available. They will be compiled and furnished when ready.

Statement showing Exports and Imports from and into India of all Foodgrains during calendar years from 1938 to 1942.

(In Tons.)

Name of Foodgrains.	1938.		1939.		1940.		1941.		1942.*	
	Exports.	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.	Imports.
Rice (all kinds)	284,159	1,084,601	278,238	2,289,785	244,355	1,507,475	303,680	1,097,045	230,385	163,803
Wheat and Wheat Flour.	384,664	93,705	59,140	142,381	89,443	37,848	272,881	10,356	54,889	18,324
Other Foodgrains	124,382	58,545	80,865	142,017	79,837	99,156	141,434	114,407	69,176	8,047
Total	773,205	1,236,851	418,243	2,574,183	413,635	1,644,479	717,945	1,221,808	354,450	190,174

* Figures up to November 1942 only.

RESULTS OF THE 'GROW MORE FOOD CAMPAIGN'.

12. Mr. K. C. Neogy: Will the Honourable Member for Education, Health and Lands be pleased to make a statement showing, province by province, and the areas administered directly under the control of the Central Government, separately:

- (a) increase in acreage of different food crops; and
- (b) increase in outturn per acre of such crops that have directly resulted from the "Grow More Food Campaign"? How much of the aforesaid increase in acreage approximately represents a change over from cash crops to food crops in the case of each province and area aforesaid?

Mr. J. D. Tyson: (a) and (b). The "Grow More Food Campaign" was started after April, 1942, and complete statistics of the increases in acreage or of the increases in outturn per acre are not available yet. A statement showing such information as has so far become available in respect of the kharif crops is laid on the table, but the figures will probably need some revision as some areas have not made a distinction between karif and rabi Juar. The increase of 81 lakhs in the acreage under food crops is due in part to a reduction of about 40 lakh acres in the area under cotton. The outturn in Bengal and Madras is low as a result of unfavourable weather conditions.

Statement.

Province.	Increase in Kharif acreage in 1942-43 over 1941-42 in thousand acres.	Increase in Kharif production in 1942-43 over 1941-42 in thousand tons.
Ajmer-Merwara	Not known	Not known
Assam	111	345
Bengal	—660	—2,608
Bihar	835	703
Bombay	1,450	696
C. P.	750	783
Coorg	Not known	Not known
Delhi	Not known	Not known
Madras	743	—507
N.-W. F. P.	Not known	Not known
Orissa	219	100
Punjab	751	235
Sind	57	—76
U. P.	1,652	2,267
Hyderabad	2,194	937
Total	8,102	2,875

PROGRESS IN THE YIELD OF FOOD CROPS.

13. Mr. K. C. Neogy: Will the Honourable Member for Education, Health and Lands be pleased to state:

- (a) how far the progress in the yield of food crops in India has kept pace with the increase of population recorded in the last three successive censuses, separately;
- (b) how the acreage under wheat, rice and other food crops has varied in each of the last 5 years upto the end of December, 1942, province by province, and in the different areas administered under the direct control of the Central Government;
- (c) how the yield per acre of these articles has varied in each case in the different provinces and areas aforesaid; and

- (d) what progress in the yield per acre of wheat, rice and other food crops, separately, in the different provinces and areas aforesaid during the last 5 years, is attributable to the activities of the Government of India and the Provincial Governments through their research and other organisations connected with the improvement of agriculture?

Mr. J. D. Tyson: (a) Attention is invited to the reply given to the Honourable Member's starred question No. 19 asked on the 15th September, 1942.

(b) and (c). For statistics up to 1940-41 attention is invited to the figures given in the annual publication "Estimates of Area and Yield of Principal Crops in India", copies of which are available in the Library of the House. The statistics for 1941-42 are under compilation for inclusion in the next issue of the above-mentioned publication. The relevant figures based on the forecasts have already appeared in the Indian Trade Journal from time to time.

(d) Detailed figures of the progress attributable to the activities referred to are not available.

JUTE ACREAGE IN* BENGAL.

14. Mr. K. O. Neogy: (a) Has the attention of the Honourable the Commerce Member been drawn to an interpellation, being starred question No. 123, in the Bengal Legislative Assembly, dated the 10th March, 1942, in the course of reply to which the Chief Minister made a statement substantially on the following lines:

The then Commerce Member of the Government of India while on a visit to Calcutta assured the Provincial Government that he was quite satisfied that the demand for raw jute would be of a considerable character and that the United States had given an assurance that they would be able to absorb raw jute even if the whole of the acreage was under jute. Subsequently, in view of the change in the situation caused by the entry of Japan into the War, the Chief Minister of Bengal came to Delhi and the Government of India then assured him that there would be no shortage in the demand for jute at all; and that even in regard to uncertainties about transport facilities, the Government of India gave an assurance to the effect that if the prices fell beyond certain limit the Government of India would come to the rescue of the Government of Bengal and help them to the utmost possible limit. The Government of Bengal could, on their responsibility, shorten the acreage (in response to the popular demand); but if having done that, in spite of the advice of the Government of India, prices were to fall, the Government of Bengal would not be able to ask the Government of India to help them. Whereas, at that moment if the Government of Bengal were to accept the proposition of the Government of India and things were to go wrong, the Government of Bengal would be able to ask the Government of India to give all possible help?

(b) Is it a fact that the acreage of jute for the year 1942, was fixed by the Government of Bengal at a higher figure than what the representatives of jute-growers on the Jute Advisory Board, constituted under the Jute Regulation Act, were prepared to accept, and that the Government of Bengal were unable to accept the recommendations of the said representatives on the ground that it would have resulted in a shortage of raw materials which were intended to meet urgent and important demands for jute goods from abroad? Is it a fact that this attitude of the Government of Bengal was influenced by the advice and assurances given by the then Commerce Member of the Government of India, as referred to by the Chief Minister in the statement mentioned above?

(c) What were the reasons for which the Government of India had given the above assurances to the Government of Bengal on which the latter Government justified, even on the 10th of March, 1942, a larger acreage under jute than the representatives of growers were prepared to recommend?

The Honourable Mr. N. R. Sarker: (a) No, Sir. My attention has been drawn for the first time by the Honourable Member's question.

(b) The answer to both parts of the question is in the affirmative.

(c) The decision to extend jute acreage was arrived at in agreement with the representatives of the Bengal Government on the basis of the estimated requirements of the Allied Nations and in the light of the experience of previous year's restriction and of such shipping programmes as were then available, and assurance of assistance was given so that in the event of the anticipated world demand for jute falling short of expectation, there would not be an abnormal fall in the price of raw jute.

JUTE ACREAGE IN BENGAL.

15. Mr. K. C. Neogy: (a) Will the Honourable the Commerce Member refer to the criticisms made on the 25th March, 1942, in the Bengal Legislative Assembly, by certain non-official members, of the policy of the Government of Bengal in having decided upon an increased acreage for jute in the face of opposition from the representatives of jute-growers, and ignoring the serious problem of food supply aggravated as it was by the loss of import of rice from Burma, and to the statement made by the Chief Minister in support of the Government policy in the course of which he stated (i) that the Commerce Member of the Government of India had assured the Government of Bengal that there would be sufficient demand from the United States to absorb the crop; (ii) that after the declaration of the war by Japan, the Government of Bengal put themselves in communication with the Government of India on this point and some of the Ministers came to Delhi and had long conferences with members of the Government of India, and that, when they went back to Calcutta, the Bengal Cabinet, as a whole, decided that it would be advisable to accept the suggestion of the Government of India and not to "embark on any hazardous enterprise which might end in disaster", when it would not be possible for the Government of Bengal to look to the Government of India for help; (iii) that thereafter circumstances having gone from bad to worse, the Chief Minister, along with a few other Ministers of the Government of Bengal, saw the Commerce Member once again when the latter told them that it would be desirable to stick to the previous decision, namely, to raise two-thirds of the previous year's crop, because the United States were still of opinion that the demand would be there, and if there happened any untoward circumstances in regard to transport facilities the Government of India would come to the help of the Government of Bengal; (iv) that later the situation having become "a bit difficult", the Government of India had advised the Government of Bengal to come down from the 10-anna to an 8-anna crop; (v) that the Government of India had given to the Government of Bengal an assurance that they would be supplying the United States with all the jute that they wanted and a promise having been given to the United States on this point, the Government of India did not want to go back on it; and (vi) that though licenses had already been issued for a 10-anna crop, and though most of the jute lands had already been sown, the cultivator was then to be told not to go beyond 8 annas, the necessity of sowing food crops as much as possible being impressed on him?

(b) Do the Government of India accept the above statement of the Chief Minister of Bengal as substantially correct, so far as the Government of India are concerned?

(c) To what extent has the prospect of the United States of America absorbing jute, as stated to have been held out by the then Commerce Member to the Bengal Ministers, been realised in practice? What was the nature of the promise given by the Government of India to the United States of America in this

behalf, as referred to by the Chief Minister of Bengal, and what exact assurances were given on behalf of the Government of India to the Government of Bengal for compensating the growers of jute in case prices fell?

The Honourable Mr. N. R. Sarker: (a), (b) and (c). My attention has been drawn to this for the first time by the Honourable Member and I am collecting the necessary information to enable me to answer this question.

JUTE ACREAGE IN BENGAL.

16. Mr. K. C. Neogy: (a) Has the attention of the Honourable the Commerce Member been drawn to question No. 28, asked in the Bengal Legislative Council on the 25th September, 1942, in the course of reply to which a statement substantially to the following effect was made on behalf of the Provincial Government:

Of the 11 members of the Advisory Board on jute regulation present at the meeting concerned, six, being the growers' representatives, recommended a reduction to 5 annas of 1940 crop. The four trade representatives wanted a larger acreage varying from 8 to 12 annas. The representatives of the mill-owners wanted 12 annas. The Government of Bengal after consultation with the Government of India decided on 10 annas. In view, however, of the shipping difficulties, the Government of Bengal had since decided to advise growers to sow jute this year on less than their licensed acreage, "but in no case on less than 8 annas of the acreage recorded in their names in 1940"?

(b) Do the Government of India accept any share in the responsibility for the ultimate fixation of a compulsory minimum acreage of 8 annas, as indicated above?

(c) When did the Government of India first realise the possibility of the imports of rice from Burma into Bengal being jeopardised as a result of war conditions; and in what manner was their attitude towards the fixation of a minimum acreage for jute in Bengal modified, if at all, on such realisation? Did they indicate any such modification in their attitude to the Government of Bengal? If so, when and to what effect?

(d) When was it first realised by the Government of India that it might be desirable to initiate propaganda for the purpose of inducing the people to grow more food so as to meet a possible shortage of supplies due to war conditions? Is it a fact that while the desirability of increasing the output of food-stuffs in India began to be realised in the Department of Education, Health and Lands, the fixation of a minimum acreage of jute in Bengal, much in excess of what the jute-growers could support, and in defiance of public opinion, was being directly or indirectly encouraged in another Department of the Government of India, namely the Commerce Department?

The Honourable Mr. N. R. Sarker: (a) and (b). No, Sir. My attention has been drawn to this for the first time by the Honourable Member and I am making the necessary enquiries in order that I might answer this question.

(c) As soon as the outbreak of war with Japan in December 1941. The Government of Bengal's proposal to reduce jute acreage to an eight-anna basis was endorsed in March 1942 and necessary action was also taken by that Government.

(d) In early 1942. The answer to the second part of this question is in the negative.

PRICES OF COAL AND SOFT COKE.

17. Mr. K. C. Neogy: (a) Will the Honourable the Commerce Member be pleased to lay on the table a statement showing the average wholesale and retail prices of coal and soft coke, separately, that prevailed at Delhi and the principal towns of each province during each week of December and January?

(b) What are the factors that contributed to the prevalence of high prices of coal and soft coke at these various centres during certain periods?

(c) When was the tendency of a rise in the prices of coal and soft coke first noticed by the Government, and what action was thereupon taken for the purpose of controlling such rise?

(d) What precautions are now being taken for the purpose of maintaining an adequate supply of coal and soft coke at all principal centres of consumption, including industrial areas, at reasonable prices?

The Honourable Mr. N. R. Sarker: (a) A statement showing the wholesale and retail prices of coal for Delhi and other centres, as far as data are available, is placed on the Table. Prices of soft coke are not available.

(b) So far as Calcutta is concerned the most potent factor was the abnormal conditions which prevailed from about the 21st December which resulted in the disappearance of a large number of dealers, in delays in placing contracts and in unloading coal from wagons and in distribution from depots. Elsewhere amongst the contributory causes were a shortage of wagons and profiteering.

(c) Early last year. The question of coal prices and distribution was examined by the Government of India and a scheme was evolved by which Provincial Governments could obtain coal in adequate quantities. It was further decided that the control of prices on an all-India basis should be deferred.

(d) A Controller of Coal Distribution has been appointed for the purpose. The Controller is responsible for deciding the order of priority in which coal has to be despatched and for the allotment and control of wagons according to the needs of the various industries and the general public.

Statement showing wholesale Prices of Coal.

Week ending.		(i) Bombay.		Rate per maund.	Remarks.
				Rs. A. P.	
1942—					
December.	3	.	.	0 13 0	Retail prices are higher than the wholesale prices by 0-2-0 per maund.
	10	.	.	0 14 0	
	17	.	.	1 1 0	
	24	.	.	1 1 0	
	31	.	.	1 2 0	
1943—					
January,	7	.	.	1 4 0	
	14	.	.	1 5 0	
	21	.	.	1 5 0	
(ii) Calcutta.					
				Rate per ton into wagon.	
				Rs. A. P.	
1942—				5 8 0	
December,	5	.	.	to (a)	Retail prices are not available.
		.	.	7 8 0	
		.	.	7 0 0 (b)	(a) Jheria Grade No. 1.
	12	.	.	5 8 0	
		.	.	to (a)	(b) Deshergarh.
		.	.	7 8 0	
		.	.	7 0 0 (b)	
	19	.	.	6 8 0	
		.	.	to (a)	
		.	.	7 8 0	
		.	.	7 0 0 (b)	
	26	.	.	Market closed	
1943—					
January,	2	.	.	Market closed	
		.	.	6 0 0	
	9	.	.	to (a)	
		.	.	7 8 0	
		.	.	7 0 0 (b)	
		.	.	6 0 0	
	16	.	.	to (a)	
		.	.	7 8 0	
		.	.	7 0 0 (b)	
	23	.	.	Ditto.	
	30	.	.	Ditto.	

(iii) Delhi.

		Rate per maund	Remarks.
		Rs. A. P.	
1942—			
December, 15	. . . . .	2 12 0	Only fortnightly returns are available upto January 18th. Retail prices are not available.
1943—			
January, 15	. . . . .	4 0 0	
As from January, 18	. . . . .	1 8 0*	*Retail Controlled Price.

(iv) Karachi.

		Rate per maund	Remarks.
		Rs. A. P.	
1942—			
December, 5	. . . . .	{ 1 14 0 (a)	(a) Wholesale Rates.
		{ 2 7 0 (b)	(b) Retail Rates.
12	. . . . .	{ 2 2 0 (a)	
		{ 2 10 0 (b)	
19	. . . . .	{ 2 2 0 (a)	
		{ 2 10 0 (b)	
1943—			
January, 2	. . . . .	{ 2 2 0 (a)	
		{ 2 10 0 (b)	
9	. . . . .	{ 2 2 0 (a)	
		{ 2 10 0 (b)	
16	. . . . .	{ 2 2 0 (a)	
		{ 2 10 0 (b)	
23	. . . . .	{ 2 2 0 (a)	
		{ 2 10 0 (b)	

(v) Nagpur.

		Rate per maund	Remarks.
		Rs. A. P.	
1942—			
December, 5	. . . . .	Not quoted	Retail prices are not available.
12	. . . . .	
19	. . . . .	
26	. . . . .	
1943—			
January, 2	. . . . .	
9	. . . . .	1 11 0	
16	. . . . .	1 11 0	

DEATH OF PROFESSOR C. B. JOHRI.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, I am very sorry to inform the House that one of our colleagues died on the 10th February. His name is Professor C. B. Johri. He was elected to this House only a short time ago and he took his oath. Being a Congress Member, he remained absent. Anyhow, we are extremely sorry to hear the sad news of his death this morning. He came from the United Provinces.

Mr. President (The Honourable Sir Abdur Rahim): A message of condolence will be forwarded to the members of his family.

MOTIONS FOR ADJOURNMENT.

SUPPLY AND DISTRIBUTION OF FOODSTUFFS.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of Babu Baijnath Bajoria regarding the supply and distribution of food-stuffs. I suppose the Honourable Member does not want to move it.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): I do not want to move it, Sir.

THE PAPER CONTROL ORDER.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is also in the name of the same Honourable Member. He wishes to discuss a definite matter of urgent public importance, namely the Paper Control Order of the Government of India requisitioning ninety per cent. of the total production of the paper mills in India, thereby causing serious inconvenience to the public.

Is there any objection to it?

The Honourable Dr. B. R. Ambedkar (Labour Member): I have no objection to the motion being debated.

Mr. President (The Honourable Sir Abdur Rahim): The motion will be taken up at 4 O'clock. If the business is finished before 4 O'clock, then the Honourable Members will like the motion to be taken up earlier.

THE HINDU MARRIAGE DISABILITIES REMOVAL BILL.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, I beg to move:

"That the Bill to remove legal disabilities under Hindu Law in respect of marriage between Hindus be continued."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill to remove legal disabilities under Hindu Law in respect of marriage between Hindus be continued."

The motion was adopted

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTIONS 162, 488 AND 496.)

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I beg to move:

"That the Bill further to amend the Code of Criminal Procedure, 1898, for certain purposes, (*Amendment of sections 162, 488 and 496*), be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmed, Sir George Spence, Khan Bahadur Sir Abdul Hamid, Mr. Govind V. Deshmukh, Sir Syed Raza Ali, Sir Muhammad Yamin Khan, Mr. Lalchand Navalrai, Sardar Sant Singh, Mr. P. J. Griffiths, Mr. K. C. Neogy, Raja T. Manavedan, Maulvi Abdur Rasheed Chaudhury, and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, this Bill amends three sections of the Code of Criminal Procedure and for the convenience of Honourable Members I may take these sections one by one.

The first section which is intended to be amended is section 162. This section occurs in Chapter XIV of the Code of Criminal Procedure, which provides for reports and enquiries by the police. A certain procedure has been prescribed according to which reports have to be in the police and enquiries to be conducted by the police. Section 162 of the Code of Criminal Procedure provides for the maintenance of regular diary. It goes on to say:

"Every police officer making an investigation under this Chapter shall day by day enter his proceedings in the investigation in a diary, setting forth the time at which the information reached him, the time at which he began and closed his investigation, the place or places visited by him, and a statement of the circumstances ascertained through his investigation."

And as to the value and the use of that copy it is given in sub-section (2) of that very section. It goes on to say:

"Any Criminal Court may send for the police diaries of a case under inquiry or trial in such Court, and may use such diaries, not as evidence in the case, but to aid it in such inquiry or trial. Neither the accused nor his agents shall be entitled to call for such diaries, nor shall he or they be entitled to see them merely because they are referred to by the Court; but, if they are used by the police officer who made them, to refresh his memory, or if the Court uses them for the purpose of contradicting such police officer, the provisions of the Indian Evidence Act, 1872, section 161 or section 145, as the case may be, shall apply."

So, Sir, this Chapter of the Code of Criminal Procedure provides that diaries are to be kept regularly by the police officer, and these diaries can be of some use at the time of trial. They can be looked into by the Court to know whether the enquiries were carried out correctly and in a reasonable time. Now, the question is what was the value of these diaries so far as the accused was concerned. So far as this section is concerned it only gives a right to Court to see the diary whether investigation was properly done and only in a case when the

[Qazi Muhammad Ahmad Kazmi.]

police officer wants to refresh his memory the Court shall refer to it, in spite of the statement of any police officer that accused was entitled to look into his diary. There was one further section, section 161 in this very Chapter which gives the authority to a police officer to refer to that statement if he thinks it proper for the purpose of inquiry and there was a further section 162 which in the old Code of 1898 also gave the accused person against whom the case was started a right to refer to the statement of the accused contradicting the witness. In the Code of 1898 section 162 was enacted in this way:

"No statement made by any person to a police officer in the course of an investigation under this Chapter shall, if reduced into writing, be signed by the person making it; nor shall any such statement or any record thereon, whether in a police diary or otherwise, or any part of such statement or record, be used for any purpose (save as hereinafter provided) at any inquiry or trial in respect of any offence under investigation at the time when such statement was made:

Provided that, when any witness is called for the prosecution in such inquiry or trial whose statement has been reduced into writing as aforesaid, the Court shall, on the request of the accused, refer to such writing and direct that the accused be furnished with a copy thereof, in order that any part of such statement, if duly proved, may be used to contradict such witness in the manner provided by section 145 of the Indian Evidence Act, 1872."

Now, what was the intention of the Legislature by making this section. It was that since a witness goes before the Court and it is found that he made a statement before the police, the accused was entitled to ask the Court to look to the statement that was made by the witness before the police: and after the Court had looked into that and found that he said something which was in contradiction of what he was saying at that time, the Court had a right to keep a copy in writing of the contradiction by the accused in the Court. Now, Sir, this was a very lengthy procedure. In every case witness came before the Court, he was cross-examined, whether he was examined by the police. If he referred to the statement in the police diary the Court will have to go through all the papers and if it found that nothing contrary to what he was saying now was said at that time, then only he could refer to that statement. In 1923, the Legislature brought about another amendment and this amendment is incorporated in section 162. I would only refer to the relevant portion of this section. It provides that when any witness is called for the prosecution in such inquiry or trial whose statement has been reduced into writing as aforesaid, the Court shall, on the request of the accused, refer to such writing and direct that the accused be furnished with a copy thereof, in order that any part of such statement, if duly proved, may be used to contradict such witness in the manner provided by section 145 of the Indian Evidence Act, 1872. When any part of such statement is so used, any part thereof may also be used in the re-examination of such witness, but for the purpose only of explaining any matter referred to in his cross-examination. This proviso made the procedure of using the statement made before the police more convenient and easily accessible to the accused and causing less loss of time. Now, the procedure prescribed by this section would only be this, that as soon as a witness enters the witness box and has been examined in chief, as soon as his cross-examination begins, he is asked whether he was examined by the police and if he says, yes, then the accused is entitled to request the court to get a copy of the statement made by him and he can read that out and if he finds there is something contradictory to what he is stating before the court, he can use that statement for contradicting him. Now, indirectly there is one other thing that followed. If an accused obtains a copy of the statement of a witness and does not contradict him by that statement

The Honourable Sir Sultan Ahmed (Law Member): So far as amendment of section 162 is concerned, we are in favour of the principle underlying the proposed amendment and therefore my Honourable friend need not really labour so far as section 162 is concerned. We have no objection to a reference to the Select Committee on that point. So far as the other two sections are concerned, we will oppose.

Qazi Muhammad Ahmad Kazmi: I may just curtail my argument regarding section 162.

Mr. President (The Honourable Sir Abdur Rahim): Most of the other Bills are also in the name of the Honourable Member himself.

Qazi Muhammad Ahmad Kazmi: Only two of these are being moved. The rest are equally opposed by the Government.

President (The Honourable Sir Abdur Rahim): Almost the entire agenda is in the name of the Honourable Member.

Qazi Muhammad Ahmad Kazmi: I will just refer to one point and finish with this section 162 by saying that recently police officers have resorted to the practice of writing down joint statements and the result is that the High Courts have ruled that a witness whose statement has not been separately recorded cannot be contradicted by a joint statement. This amendment is only intended to do away with that misuse of the powers of the police and to enforce the law as it was intended by the Legislature.

The next section that I want to amend is section 488 of the Criminal Procedure Code. Unfortunately this is a section about which there has been a lot of misunderstanding as regards the object of the Mover. So far as I have been able to study the opinions that have been received, I understand they are all in my favour, if only one misunderstanding could be removed that the object of the Bill was a moral one and not an immoral one. I think that this is the main ground on which every person who opposed the Bill has gone against the provisions of this amendment. For the convenience of the House, I may read the relevant portion of section 488:

"If any person having sufficient means neglects or refuses to maintain his wife or his legitimate or illegitimate child unable to maintain itself, the District Magistrate, a Presidency Magistrate, a Sub-Divisional Magistrate or a Magistrate of the first class may, upon proof of such neglect or refusal, order such person to make a monthly allowance for the maintenance of his wife or such child, at such monthly rate not exceeding one hundred rupees in the whole, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate from time to time directs."

Thus the section provides that a person can be made to maintain his legitimate or his illegitimate child. What the amendment proposes is that the mothers of these illegitimate children should also be provided for. The attack on me is that I am legalising illegitimate connection and making an illegitimate husband pay for his illegitimate wife. May I ask those people who in the name of morality want to condemn me, what suggestions they have got to make for prohibiting illegitimate connection. Is there any law on the statute book which provides that such illegitimate connection is penal either under the criminal law or that civil liability attaches to any person who carries on in this way. Does the present law provide that any person who indulges in illegitimate connection with a woman would be liable to pay her anything, or that he would be punishable?

Now, Sir, I have in another connection given two amendments to the Indian Penal Code, sections 497 and 498. In section 497, what I say is that in case of adultery, the wife should also be punishable. Now, let me ask those people, who say that I am introducing immorality by providing for maintenance for illegitimate wife, to come forward and say that adultery should not be punished. These very gentlemen who on the one-hand oppose the provision for maintenance of illegitimate wife, say that the people who enter into illegitimate connections should not be punished. Women are always shrewd enough to see that before entering into such connections, they will be provided fully and in a proper way by the person who enters into such illegitimate connection. Is it the contention of my Honourable friends that the case of those depraved women should not be taken up by the Legislature and that they should not be given maintenance? But as I said before, if the women are so depraved, then by all means make adultery punishable. But my friends say, no. You are again interfering with the personal right of a woman in utilizing herself or her person in any way she likes.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): But adultery is punishable.

Qazi Muhammad Ahmad Kazmi: The English Law is different. Adultery is not an offence which is punishable and the Honourable Member may remove that apprehension.

Sir Muhammad Yamin Khan: What do you call adultery?

Qazi Muhammad Ahmad Kazmi: So far as adultery is concerned, it was an offence punishable severely with *durras* under the Islamic and Hindu Law prevalent in India, but from 1845 that crime has been reduced from a public crime to a private crime in which only the husband is entitled to bring a complaint against the person who commits adultery and only the person who commits adultery is liable to punishment but not the woman who is a party to that. What I want is that not only the man should be punished but the woman must also be punished, and people come forward and say that the women must have a right of committing adultery—the male may be punished at the instance of the husband but not the wife. I fail to understand the legality and morality of that principle and especially when I find that that legality and morality is believed by persons who come forward and say that maintenance should not be given.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): This is not the age of morality but the age of democracy.

Qazi Muhammad Ahmad Kazmi: I perfectly see it is the age of democracy, but not the age of inconsistency. What I believe is consistency and I say that you must penalize this offence of illegitimate connection. You have provided no remedy for this illegitimate connection; so far as the present laws are concerned, it is not punishable criminally and if I were to bring in a Bill to make it punishable under the Criminal Law it will be equally opposed by the gentlemen who now say that I am introducing an immorality. What I mean to say is this: that there must be some responsibility on the person who allows such illegitimate connection to continue.

Sardar Sant Singh (West Punjab: Sikh): That is a case of cash and carry.

Qazi Muhammad Ahmad Kazmi: Cash and carry is all right, but I am not applying this principle to that cash and carry business at all. What I say is that persons, who have got the audacity of carrying on an illegitimate connection with a woman for a period of, six years, must be liable to maintain that woman just as the illegitimate children born of her which are already provided for under the Code of Criminal Procedure. If you do not do this then what penalty are you attaching to the person who has ruined the best part of the life of a woman and who has almost taken away the best of her years, who has satisfied his personal ambitions and desires in the best years of her life? Nothing. He deserts her, abandons her. If this provision is made, then any person who enters into any connection of that kind will have to remember that he is entering a field in which he will not go scot-free but if he continues that connection he will be liable to pay something. It will be an absolutely civil liability which I am proposing. Every gentleman who poses as being moral should have suggested that the proposed provision was not a proper one because it was only seeking to attach a civil liability, but it ought to be a criminal liability. But nothing of that kind has been said.

Sir, I will now read out one or two provisions which will illustrate what I am submitting to this House.

Mr. President (The Honourable Sir Abdur Rahim): It is no use repeating if the Honourable Member has already explained those points.

Qazi Muhammad Ahmad Kazmi: Sir, I will just read one or two statements at the most which will illustrate as to how people have been misled in opposing this Bill and giving an adverse opinion.

The Judicial Commissioner, N.-W. F. P. says: "I am opposed on moral grounds". I have already submitted what those moral grounds are. I take the specific case of one and the same gentleman. The District and Sessions Judge, Nagpur, when he discusses this amendment, says:

"I strongly oppose this legal recognition of concubinage. In my opinion, the marriage laws of a country should be just and equitable and being so they should be morally recognised and legally enforced as one of the basic requirements of a healthy society. The keeping of mistresses is usually associated with either, (i) ignoring of the marriage laws, (ii) inequity therein, or (iii) moral license. We have to recognize that a woman as well as a man has as much responsibility for the marriage laws of the country. The first and last considerations have nothing to commend them and can only be associated with an unhealthy state of society in which laxity or license are tolerated. Regarding the second, it is the marriage laws and their associated divorce laws which require amendment if their pressure is such that people find they must live together, although legal marriage is not possible."

He opposes because it is immoral and he says that divorce may be made easier so that people may be able to enter into marriages easily. When I plead for making adultery punishable, the same gentleman—District and Sessions Judge, Nagpur—says: "I consider this Bill a retrograde measure. I would like to see sections 497 and 498 removed from the Indian Penal Code altogether." Now, this is the morality.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): That is English Law.

Qazi Muhammad Ahmad Kazmi: Let it be English Law, I do not mind. But there must be some consistency. If you are not doing away with the crime of adultery altogether, if you are going to tolerate the kidnapping of married women without criminally punishing the person concerned, are you talking of something which is moral according to the conceptions of the western people or the eastern people? Adultery and kidnapping in some form or other of married women is not to be tolerated in the East or the West. And the gentleman who is opposed to my Bill to provide for the maintenance of illegitimate wife maintains that there should be no punishment for adultery.

Unfortunately the system of circulating Bills by the Government of India seems to be very defective. In the whole list of opinions I do not find a single opinion of a woman. It is only one side which is being consulted, and that is the male side which will not tolerate being held liable for its guilt.

Sir Muhammad Yamin Khan: You want to take the opinion of women whether adultery should be punishable for women also?

Qazi Muhammad Ahmad Kazmi: I am not speaking of men and women as such. If I were espousing the cause of women I should say that adultery should not be punishable. I say that illegal contracts must be made punishable. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that many a time.

Qazi Muhammad Ahmad Kazmi: They are not following it, Sir. I will finish after reading the opinion of one more lawyer, the Advocate General of the United Provinces.

Mr. President (The Honourable Sir Abdur Rahim): Have all these opinions been circulated to Members?

Qazi Muhammad Ahmad Kazmi: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Provided it is not a long one. The Members are in possession of these opinions.

Qazi Muhammad Ahmad Kazmi: It is only a few lines:

"I do not agree to the proposed amendment of Section 488 (1) of the said Code inasmuch as this would give a legal recognition to an illegal connection with a woman and promote immorality."

[Qazi Muhammad Ahmad Kazmi.]

I say that this is based on a misconception. Another lawyer says:

"The women of India have not made such progress as alleged in the statement of objects and reasons. In every case of adultery and elopement it is the male who is responsible, and if the female instigates the male is the chief culprit. I do not think the proposed amendment should be accepted."

So in this case the definite opinion is that the female plays only a secondary part and should not be punished. She is not in a position to defend herself and on this ground it is absolutely wrong to say that the present Bill encourages immorality.

The next amendment in this Bill is about section 496 of the Code of Criminal Procedure. I really do not understand the point of view of those gentlemen who are opposed to it. What I propose is that the Magistrate who convicts a person under this section may have the authority of releasing him on bail, if the man assures the Court that he is going to file an appeal. Now, this is not a very strange thing. We find that people who are convicted of non-cognisable offences are always allowed by the original or appellate court to file an appeal. But this always involves a considerable amount of expense and trouble to the parties concerned. As a matter of form, all appellate courts, or courts which exercise revisionary jurisdiction, do grant bail in non-bailable offences. So the amendment I propose is only an enabling amendment and not a mandatory one. I do not make it compulsory or mandatory for the court to grant him bail if he is prepared to file an appeal. I want to give the magistrate the powers: whereas those who are against this amendment seem to think that once a Court has convicted a man that Court should not be allowed to give him bail. Is it or is it not a fact that in civil cases, where a decree is passed, and say a house is under orders of demolition, on the assurance given to the Court that the party wants to file an appeal before the District Judge or High Court a stay is granted? I plead that that much power must be given to the criminal courts also. If they think it desirable that the person so convicted should be given bail, they must be allowed to have that power.

There is one thing in this connection which I want to point out to the House. Sometimes there is a misuse of the powers of punishment by Magistrates. It may be on whimsical or personal grounds. We have known of cases in which a Magistrate intentionally postponed the delivery of judgment till 4 O'clock, so that it might not be possible for the accused or the person convicted to get out a bail from the District Judge that very day, the intention being that the accused should be in jail for at least one day.

I have known cases in which the judgment is pronounced at 4 O'clock on Saturday, so that the whims of the magistrate can be satisfied by detaining him in jail at least for a day or so; and when a person is so detained in jail, the expenses of filing an appeal immediately to the appellate court are so heavy that some persons cannot afford it; and others who can afford it have to meet those charges. But the objection may be raised that even my amendment would not do away with that personal malice of the magistrate, because it is only a power that is being given to a magistrate to give bail or not to give bail. On that my submission is this, that it is almost impossible for a man to prove that he was dealt with maliciously by a magistrate; and if a magistrate refuses to give him bail, it will go further to show before the appellate court whether he was considering the case of the accused with an unprejudiced mind or he has some prejudice against him. It would be an indication of the mentality of the magistrate and would go a long way to support the plea of the accused. So, I think that this is more or less a formal thing and the Government will see their way also to accept this amendment and refer it to Select Committee. With these words I move this motion for the consideration of the House.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1898, for certain purposes. (*Amendment of sections 162, 488 and 496*), be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmed, Sir George Spence, Khan Bahadur Sir Abdul Hamid, Mr. Govind V. Deshmukh, Sir Syed Raza Ali, Sir Muhammad Yamin Khan, Mr. Lalchand Navarai, Sardar Sant Singh, Mr. P. J. Griffiths, Mr. K. C. Neogy, Raja T. Manavedan, Maulvi Abdur Rasheed Chaudhury, and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The Honourable Sir Sultan Ahmed: Sir, the Bill seeks to have amendments in sections 162, 488 and 496 of the Code of Criminal Procedure. As I have already stated, Government are prepared to accept the proposal of reference to Select Committee so far as the amendment of section 162 is concerned. The opinions elicited in circulation are preponderatingly in favour of that amendment, and Government are therefore prepared to discuss this matter in the Select Committee because a certain verbal revision may be necessary.

So far as the proposal to amend the other two sections is concerned, Government are definitely opposed to it. I will take up the question of the amendment of section 488, which seeks to provide for the maintenance of a woman not being his legally married wife who is in keeping for six years or more. . . .

Mr. Lalchand Navarai: May I ask if it is the Honourable Member's view that these two other sections will not be considered at all or that they will be before the Select Committee?

The Honourable Sir Sultan Ahmed: Yes; the whole Bill will go to the Committee, but we want to make our attitude perfectly clear at this stage; that we will oppose the amendments of those sections but the Bill will have to go as a whole to the Select Committee. As I was submitting, the Bill seeks to provide for the maintenance of a woman, not being his legally married wife, who is in his keeping for six years or more. It is difficult for me to appreciate why my Honourable friend has fixed this period of six years. Apparently some period had to be fixed and therefore he put six: he will have to justify as to why he has not put one year. . . .

Qazi Muhammad Ahmad Kazmi: I will agree to any amendment in that direction.

The Honourable Sir Sultan Ahmed: If it comes to that, perhaps he may omit the section itself; I should have thought that the period would be the critical point, but if he does not attach importance to the period, the whole amendment may become an absolute nullity. Apart from that, the main difficulty is this, that the provision will presumably amount to legalising the keeping of a woman without marrying her, and this is our main difficulty in accepting the proposal. This amendment has not found favour with the majority of the opinions that have been elicited in circulation, and in my opinion it is a fatal objection to the amendment.

As regards clause 4 of the Bill, which seeks to amend section 496 of the Code so that a convicted person, if he so desires, before filing an appeal can go to the court which convicted him and ask for bail. The present position is this: that after conviction and before an appeal is filed the presumption is that the man is guilty. He can file the appeal and go to the appellate court and say, "Here is a *prima facie* case for the appellate court to consider"; and if the court is satisfied, the court at once grants bail; but if he asks the court that convicted him to grant bail, then that court will be in a difficulty; the convicting court itself will have to be satisfied that there is doubt about the conviction; and, therefore, though I may agree to the reference to Select Committee so far as amendment of section 162 is concerned, I am bound to take exception in the Select Committee to the other proposals, that is, to clauses 3 and 4.

Sardar Sant Singh: Sir, I wish to make a few observations on the proposed amendment of three sections of the Criminal Procedure Code. I am glad that the Government has accepted the principle underlying the amendment of section 162. As a practising lawyer in the criminal courts, I have felt sometimes in an embarrassed situation when the policemen in writing their daily diaries try to overreach the defence by writing joint statements which are not provided for in the Evidence Act or in any provision of the substantive law. I will not say anything further. The difficulties have been pointed out in the rulings of the various High Courts and are too obvious to require any mention.

As regards the amendment of section 488, I regret to say that I do not see eye to eye with the Mover of the Bill; probably the Mover of the Bill thought it was a case of lease-lend, but it is a case of 'cash and carry'. He forgets that; and therefore it will be putting a premium on immorality, which he wants to put an end to; he will be encouraging it rather than discouraging this immorality.

As regards the amendment of section 496, the Mover in his learned speech has made a comparison with the civil court where after passing a decree the civil court orders for stay of the decree for some period. Probably he forgets the difference between a civil court and a criminal court. In the case of a civil court the passing of the decree does not make the judge *functus officio*; he can still review his order. But in the case of a criminal court. . . .

Qazi Muhammad Ahmed Kazmi: Because the Legislature has not made it. You can make it now.

Sardar Sant Singh: There are review provisions for review of the judgment, for execution of the decree. In the case of a civil court the review provision is an absolute necessity. In the case of a criminal court no power of review is given.

Qazi Muhammad Ahmad Kazmi: The Defence of India Act provides for it.

Sardar Sant Singh: As soon as a criminal court passes a sentence and writes out the judgment, it becomes *functus officio*, and as such it cannot proceed further and exercise any jurisdiction over the accused. Therefore, the amendment aims at doing that which is not provided for in the scheme of the Criminal Procedure Code. I am afraid, I am unable to agree with the Honourable the Mover on these two amendments. I will support the motion to refer the Bill to Select Committee so far as the amendment of section 162 is concerned.

Mr. Lalchand Navalrai: I will not say much. The Bill is going to the Select Committee, and so far as the view of the Government is concerned, we have it that there will be no opposition to the amendment of section 162. So far so good. With regard to amendment of section 162 I will say one word. Experience has shown that what the Legislature intended and gave power to the accused to take advantage of previous statements is wholly nullified by the present practice that is going on. Therefore, it is wise on the part of the Government to accept this amendment. So far as the second amendment is concerned, I think it is too immoral even to be approached. My Honourable friend is suffering from a misunderstanding about this amendment. In one breath he wants that a woman who is,—according to him,—and I think in the mofussil it is true that the woman is rather the party to induce the person, who commits adultery, to meet him. Therefore, he is arguing that she should also be punished as an abettor so that adultery may come to an end. That is very well, and perhaps if he persists in his Bill which he has put in, he shall have my support at least, because I know that in the mofussil there are very many cases where the woman induces the paramour to go and meet her in the fields, in jowar cultivation, and so on. These women go and hide there, that is their rendezvous. I think they are more responsible for inducing the paramours to go there and commit offences. But so far as this amendment is

concerned, I think my Honourable friend should understand that he is inconsistent. He is here giving alimony or maintenance to the woman who has induced the paramour to have illicit intercourse with her. If this happens, it will be a premium on illicit connections and many more cases will arise where such women will demand alimony. This matter should be considered from that point of view and I think my Honourable friend will be well advised to stick to his former Bill,—the other Bill that he has with regard to punishing a woman also for adultery.

So far as amendment of section 496 is concerned, I have sympathy with him because in practice we find that there are cases in which the magistrate convicts, though he may honestly believe that there is some doubt about it. He probably finds a High Court decision or something else which he cannot get over and so he convicts. What remedy has he? Why should he put the man in jail? Throughout the undertrial he has allowed the accused to be on bail, and why should the magistrate not be able in such cases to grant bail? The Honourable the Law Member said that it is easy to go to the appellate court. Not easy, Sir. The appellate court sends for the record, it has to satisfy itself, and has to read more or less the whole record and not perfunctorily decide the question of bail.

The Honourable Sir Sultan Ahmed: Not necessarily.

Mr. Lalchand Navalrai: It takes time, it sometimes takes an inordinate amount of time. Why should it not be, in very special cases where the magistrate is of opinion that the man should be given bail,—and in bailable cases where the undertrial prisoner is entitled to have bail? I do not understand why the amendment should be opposed by the Government. However as the Bill is going to the Select Committee and as I am on the Select Committee I will place the same point before the Government. One thing more I will say. Even where persons are committed to the Court of Sessions, after charges had been framed, and they are more or less as if having been convicted by the magistrate who commits—yet magistrates do allow in committal cases bail but subject to confirmation by the appellate court. In case the Government are not going to agree to give full power to the magistrate, at least the power should be given so far as it is now exercised by the magistrate in the committal cases. The magistrates may give bail but subject to the confirmation of the appellate court.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): The amendments proposed by my Honourable friend, Mr. Kazmi, so far as they are concerned with sections 162 and 496, seem to me to be very reasonable, but the proposed amendment to section 488 is rather amazing. The Honourable the Law Member, and also my Honourable friend, Sardar Sant Singh, have shown that this will encourage greater immorality in the country. As the Bill is going to the Select Committee, and as some of my friends are expressing their opinions, I thought I may say on the floor of the House just now that in my opinion Mr. Kazmi ought to think twice before moving even in the Select Committee his amendment to section 488 which will simply encourage immorality. It may be said that some sort of provision should be made for a woman who has been maintained for any period, but the fixing of the period, as the Honourable the Law Member has pointed out, will create more difficulty so far as this section is concerned. I do not want to dilate more on these sections to-day as the Bill is going to the Select Committee. I hope that my Honourable friend, Mr. Kazmi, will, in the light of the opinions that have been expressed so far, reconsider his attitude towards an amendment of section 488.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): We have had discussion over these sections and I find that, so far as the amendment to section 162 is concerned, it has been accepted. There has been almost

[Mr. Govind V. Deshmukh.]

unanimous public opinion, even the police officers have said that that section should be amended, and the present amendment is acceptable to everybody. I see a volume of opinion in the House also in favour of an amendment to section 496 of the Criminal Procedure Code. The difficulty, as has been pointed out by Mr. Kazmi, is this. Imagine a case, of course, I am not merely asking the House to imagine something which does not happen, this is what at time does happen. In mofussil places a second class or a first class magistrate convicts an accused. Then the man has to go to the appellate court which may be at a distance of 60 or 70 miles. The accused was very likely convicted and judgment delivered—as has been pointed out, in very many cases it does happen—at about 4 O'clock. The accused is there taken to jail. All

1 P.M. these things happen, so that the accused is really handicapped in getting any bail from an appellate court. It is difficult for him to move appellate court under the circumstances. So, it would be really facilitating matters if the same trial court is given the power of granting bail in cases of this kind.

Now, as regards section 488, I do not think that there is such a volume of opinion as to show that the amendment will not be acceptable to the House. The public opinion that we have got is that as it is, it puts a premium on immorality; but with certain amendments, it may be acceptable to the very persons who are opposing this amendment. I find that this particular section has been supported generally but I wish to point out one thing which has not been pointed out to the House at all. Amongst the mass of public opinions that we have received, there is the opinion of the Orissa Women's League of Service. It seems to me that they have a better right to say something about their own sex and as it is a very short one and has not been referred to at all, I propose to read it. They say:

"The Bill to amend sub-section (1) of section 488 of the Code of Criminal Procedure which has been circulated for public opinion has been considered. The object of the amendment is that a person who keeps a woman for a period of six years or more should be made legally liable to maintain her. Resolved that the Secretary communicate the following view of the Orissa League of Women. A man who indulges in keeping a woman should be made responsible for the consequences of his action irrespective of the period for which he keeps such a woman. For consideration of the liability of the male person, it should be sufficient if he has kept a woman for not less than one year."

I think the women's point of view should also have some weight in this House and I do not think that it is always the woman who is at fault and therefore if any maintenance is awarded to her the cases will increase. There may be a difference of opinion but it is quite probable that a man also is at fault. He either kidnaps or seduces a woman. Then after some time, he gets disgusted or the woman is not of any more use to him and he discards her. In that case, certainly she should have the right of maintenance. I therefore think that this section should command some respect from this House. The Women's League has pointed out that certain amendments are necessary. Those who have opposed the amendment say that if the wording was such that the woman is in the exclusive possession of the man then they would have no objection. If such minor amendments are made in the Select Committee, I do not think that the section is inherently so abominable. It cuts either way. Some say that it is putting a premium on immorality. There are others who say, "No, immorality would be stopped". The maintenance would act as a sort of penalty, fine, on the man who wants to have illicit connection with any woman and then discard her later on. That man will think twice before doing anything'. With these few words, I support this motion.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill further to amend the Code of Criminal Procedure, 1898, for certain purposes, (Amendment of sections 162, 488 and 496), be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmed, Sir George Spence, Khan Bahadur Sir Abdul Hamid, Mr. Govind, V. Deshmukh, Sir Syed Raza Ali, Sir Muhammad Yamin Khan,

Mr. Lalchand Navalrai, Sardar Sant Singh, Mr. P. J. Griffiths, Mr. K. C. Negoy, Raja T. Manavedan, Maulvi Abdur Rasheed Chaudhury, and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

THE DELHI MUSLIM WAKFS BILL.

PRESENTATION OF THE REPORT OF THE JOINT COMMITTEE.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I present the report of the Joint Committee on the Delhi Muslim Wakfs Bill.

THE ABOLITION OF WHIPPING BILL.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I do not wish to move Motions Nos. 4 to 12 standing in my name. I shall move No. 13.

Sir, I move:

"That the Bill to abolish the punishment of Whipping be circulated for the purpose of eliciting opinion thereon by the 15th September, 1943."

This was a Bill in respect of which I thought that my case was so strong, that instead of moving a motion for circulation I might move a motion directly for reference to Select Committee but I am astonished to find that the Government do not see their way even for circulation, what to say of its reference to the Select Committee. The idea of corporal punishment originated with the very primary stage of society and experience has shown that corporal punishment is not in accord with the principles of criminal jurisprudence which have been evolved after centuries of trial. There were times when branding the culprits and cruel torture of the accused were in force. All those were considered to be vindictive punishments and it is a well-known principle of criminal jurisprudence that the society should not be vindictive but there must be an idea of reform. In the case of reforms, the corporal punishment is not only of no use but, as a matter of fact, it degrades the person who suffers from it to a lower strata of society and perpetuates what is intended to remove by inflicting this punishment. Every civilized society during the course of this evolution has been gradually diminishing this corporal punishment and the last vestiges of it are to be found in two things, namely, the capital punishment and flogging. I am not dealing with the capital punishment at this stage but I would like to point out one thing in that connection. Even in the case of the capital punishment the consistent tendency of every civilised country has been to reduce the rigour of this punishment and with the advance of civilization the ways of execution have also been improved with the result that the least possible pain is inflicted on the person who is executed or hanged. The punishment of flogging used to be inflicted in a way as to leave the signs of flogging on the body of the person so that he might later on be identified by the marks that had been made on his body. Of course, our present Act does not provide that the marks should be sufficiently prominent so that a permanent mark may be left on the body of the person who undergoes that punishment. Society from time to time has found that this punishment also should be brought in consonance with the advanced stages of the society. The last amendment to the Whipping Act was made, or rather a new Act was enacted, in 1908 and in the Statement of Objects and Reasons it is said:

"The object of this Bill is to amend the law relating to the punishment of whipping so as to restrict the classes of offences for which that punishment may be inflicted and to limit the number of officers who may be empowered to award it. . . . The result of these repeals will be to abolish whipping. . . ."

Mr. President (The Honourable Sir Abdur Rahim): It is now quarter past one and the Honourable Member can continue his speech after Lunch.

ELECTION OF A MEMBER TO THE STANDING COMMITTEE FOR THE POSTS AND AIR DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon today, the time fixed for receiving nominations for the election of a Member to the Standing Committee for the Department of Posts and Air only one nomination was received. As there is only one vacancy I declare Mr. C. C. Miller to be duly elected.

STATEMENT OF BUSINESS.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, with your permission I would like to inform the House that Monday, the 15th February and Wednesday, the 17th February, are the two days which should be fixed for the consideration of the food supply motion and other motions. On Monday, of course, some time will be taken for the presentation of the Railway Budget. I am told that this arrangement is agreeable to the Leaders of the Parties.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Subject to this that there will be no questions on those days, otherwise the time will be reduced.

Mr. President (The Honourable Sir Abdur Rahim): As regards the time-limit for speeches, I take it Honourable Members will agree to what was done on the last occasion on a similar motion to consider the political situation. It was proposed and accepted and agreed upon by all the Leaders of the Parties that the Mover of the motion (then Sir Reginald Maxwell) should have 45 to 60 minutes, that is to say, one hour, to make his opening speech and the Leaders of the Parties or the Deputy Leaders. . . . (Interruptions.) I do not know whether the Honourable Members will agree to that arrangement or whether they would like to consult amongst themselves whether there should be any time-limit for speeches.

Mr. N. M. Joshi (Nominated Non-Official): Let there be no time-limit for speeches on those days.

Syed Ghulam Bhik Nairang: For the consideration of the food supply motion there should be no one hour speech. On the last occasion half an hour was allotted to the Leader or other authorised spokesman of a Party and the other speakers were given 20 minutes each.

Mr. President (The Honourable Sir Abdur Rahim): On the last occasion 45 to 60 minutes was allotted to the Mover of the motion and 30 minutes were given to the Leaders of Parties. I think the arrangement which was arrived at by agreement on the last occasion will also hold good this time.

Mr. N. M. Joshi: What about the other Members?

Mr. President (The Honourable Sir Abdur Rahim): 20 minutes were given to the other Members:

Mr. N. M. Joshi: 20 minutes is too short. Let half an hour be for all. Two days are quite sufficient. Let the Parties limit the number of their speakers. Half an hour for other Members is certainly very necessary as this is a very important subject.

Mr. President (The Honourable Sir Abdur Rahim): The best thing will be for the Honourable Members to consider it themselves. There is enough time. I should leave it at that. The Honourable Members can consider the matter amongst themselves and arrive at some agreement.

Another thing is that the discussion of the adjournment motion, which will be taken up after the agenda is finished, will be limited to two hours as usual.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Jamnadas M. Mehta (one of the Panel of Chairmen) in the Chair.

THE ABOLITION OF WHIPPING BILL—*contd.*

Qazi Muhammad Ahmad Kazmi: Mr. Chairman, before we adjourned for lunch, I was reading out from the Statement of Objects and Reasons of the Bill that became Act in 1908. The object of the Bill was to amend the law relating to punishment of whipping so as to restrict the classes of offences for which that punishment may be inflicted and to limit the number of officers who may be empowered to award it. According to this Act the punishment of whipping was confined only to those offences which were mostly held to be of rape and offences of that nature. Then again it provided for the punishment of whipping of juvenile offenders. In the speech that was made by the Honourable Sir Harvey Adamson at that time he said:

"In the progress of public opinion the infliction of whipping as a judicial punishment comes to be regarded with ever increasing disfavour. The object of this Bill is to mitigate the severity of the Whipping Act and to bring into line with the public opinion of the present day. In India the time has not arrived when whipping as a judicial punishment can be altogether dispensed with. In England, hundred years ago, punishment of whipping for many offences had been curtailed and dwindled down to the proportion which I have stated without prejudicing the safety of the community. Experience has shown that for most offences which were formerly punished with whipping a less revolting penalty is more efficacious. The history of Indian jails tends to the same conclusion. I can well remember that when I first arrived in India thirty years ago, whipping of a very severe nature was freely resorted to in jails as a punishment for very trivial offences. It is now inflicted as a jail punishment on rare occasions and only for serious offences. Yet the discipline of Indian jails is much better now than it was thirty years ago."

Now, Sir, a man of no less an authority than that of the Honourable Sir Harvey Adamson testifies to the fact that abolition of whipping is to a certain extent necessary. We are convinced, Sir, he said, that whipping should be restricted to offences of a degrading nature and that it never should be administered where it is likely to outrage self-respect. We also think that it is an unsuitable punishment for any offence that is not of an active and daring character.

Now, Sir, in spite of the remarks that were made by the Honourable Sir Harvey Adamson on this Bill it was retained, though it was restricted very much. The idea was to restrict this to offences of a very degrading nature and other element was that it should not be administered to persons who will feel offended and whose self-respect would be outraged. Unfortunately, we find that in actual practice this history of the Act has not been maintained, but I do not refer to that aspect at this moment: what I say is that punishment of whipping should not be resorted to for lowering the grade of a person or it should not be administered in a way which would shock the self-respect of a person. Thus whipping is simply a matter of corporal punishment and corporal punishment is felt to be curative and often reformatory thing especially in advance age. Here, Sir, I will read out to the House an extract from a book known as "Encyclopaedia":

"With a growing consciousness that punishment is not so much a deterrent to crime as had been supposed, flogging, as a general practice, has been abandoned. Modern psychiatry and genetic psychology have shown the dangers inherent in flogging children, in that such procedure may develop inhibitions, antipathies and neurotic trait likely to undermine the whole mental and nervous system of the child."

We have seen much according to these authorities. Corporal punishment which was thought to be effective in case of children has been found to be equally inefficacious rather than curative. The freedom with which it is being resorted to in the present day cannot in any way be supported on any principle whatsoever. The Magistrates are all human beings. Of course, it is sometimes shocking to hear of offences that are committed by people. But for the maintenance of law and order in society, punishments should be based on principles of jurisprudence, but they should not be based on a person's motives. I remember of a Sessions Judge, and just as a doctor prescribes dose of quinine and some other medicines for a particular disease, this Sessions Judge was prescribing for

[Qazi Muhammad Ahmad Kazmi.]

every person whom he convicted, hard labour, solitary confinement and then once whipping. His prescription was never complete without an ounce of this particular treatment, whipping. I submit this is not a desirable practice at all. It has got no justification whatsoever in practice, or from the point of view of medicine or from the point of view of jurisprudence. I submit the punishment of whipping should be abolished. Sir, I move.

Mr. Chairman (Mr. Jamnadas M. Mehta): Motion moved:

"That the Bill to abolish the punishment of Whipping be circulated for the purpose of eliciting opinion thereon by the 15th September, 1943."

The Honourable Sir Sultan Ahmed (Law Member): Sir, on behalf of the Government, I have no objection to the circulation of the Bill. But I feel that I should explain the position of the Government and its attitude towards the measure. The first difficulty we feel is this: there is tremendous shortage of paper and it will be very difficult, almost impossible so long as the present difficulty about paper lasts, either to have a Select Committee or to have the opinions received from the Provinces printed and circulated during the war, so long as this acute shortage remains. The second difficulty is this: I want to make it perfectly clear that the Government will not accept the total abolition of whipping. The Government would be quite prepared to accept any reasonable amendment of the Whipping Act, 1909, to suit the present day conditions and sentiments. But they are entirely opposed to the abolition of the Bill altogether, particularly in so far it affects the Army Act and the Indian Naval Discipline Act. Subject to those conditions, the Government have no objection to circulation.

Mr. N. M. Joshi (Nominated Non-Official): Sir, I rise to support the Bill for abolition of the punishment of whipping. Sir, this punishment is a relic of the barbaric ages. It is a punishment which is savage in its very nature. I therefore feel that in these modern times, it is wrong for any Government to keep that punishment on the statute book. Sir, it causes unnecessary pain, it demoralises those people who make themselves responsible for inflicting that punishment, it demoralises the instruments who are used to inflict actual punishment and inflict whipping and flogging. This punishment was limited to some offences, but the Government of India, in the name of defence of the country has extended the application of this savage punishment. Sir, after the Law Member had spoken, I am rising to express my views on the subject, for the reason. . .

The Honourable Sir Sultan Ahmed: Sir, I think there was some misunderstanding in the submission that I made. I did suggest that my Honourable friend should not insist on circulation, if the result is any reference to the Select Committee or otherwise during the war. If he is prepared to agree to that, then I will not oppose, I will accept it. But if he wants the matter to be discussed during the war, then I am opposing it.

An Honourable Member: When is the war coming to an end?

The Honourable Sir Sultan Ahmed: You go to the nearest astrologer. Otherwise, I oppose the motion.

Mr. N. M. Joshi: I am not responsible for the understanding which the Honourable the Law Member has had with the Honourable the Mover of the Bill. The reason why I am speaking is that during the war, the Government of India have extended the application of whipping very widely. Mr. Amery, the Secretary of State for India, stated in the House of Commons that public sentiment in India was not opposed to the punishment of whipping and that he had not received many protests. Sir, whether he had received protests or not, I do not know. I propose to take this opportunity of entering my protest against the retention of any punishment of whipping on the statute book of this country whether in the form of regular laws or in the form of Ordinances. I feel there is absolutely no necessity for this punishment either in ordinary times or even during the war. War itself has a very brutalising influence on human nature and we need not add to that brutalising influence this further brutalising of human nature by imposing punishment of whipping in the name of defence of

the country. I feel, Sir, that the defence of the country can be secured without brutalising human nature further. I therefore enter my emphatic protest against the maintenance of the punishment of whipping either in normal times or during war times. Sir, I support the Bill.

Mr. Hooseinbhoy A. Lalljee (Bombay Central Division: Muhammadan Rural): Sir, I rise to support the motion made by my Honourable friend, Qazi Muhammad Ahmad Kazmi, to abolish this punishment of whipping. Sir, I am surprised that the Government of India should still consider that such a punishment should be on the statute book. The world has changed so much and, above all, the status of this country and of the people of this country demand that this Government ought to raise the position of the people of India in the eyes of the world at large. Unfortunately, we have been suffering for such legislation and the like, such as differentiation when trials are done with regard to the subjects of His Majesty; for instance, if a European subject—whether he be a German or an Italian—is found guilty of an act he is to be tried by a European jury. Nothing has been said with regard to Indians, but in their case any German or Italian can sit on the jury. In the like manner, many other things are there in regard to which I did hope that the Government would now after the second Great War not persist in keeping on the Statute acts and deeds which shall reduce the people of this country below that of any civilized people.

Sir, there does not exist such whipping punishment in any part of Europe; nobody would tolerate that. Sir, when whipping matter came up before the House of Commons, Mr. Amery justified it on one pretext—I say pretext—when he said that in Bombay this punishment was introduced by the Congress Ministry by a proclamation. Sir, it was very unfortunately done. He was quite right when he said so but he did not say that by an Act of Bombay Legislature this whipping punishment was virtually abolished. Only a provision was made stating that in case of emergency and for short periods and that too only by a proclamation this punishment could be inflicted. And this punishment was only to be inflicted in special cases. I will give you an instance. This punishment could not be inflicted in the Bombay Presidency—I hope Bombay Presidency is in India—and the only occasion when the Congress Ministry thought fit to bring in this was when there was the Hindu-Muslim riot in Bombay. The then Home Minister, Honourable Mr. Munshi, who was quoted by Mr. Amery, justified this punishment against *goonda raj*. It was to create Hindu-Muslim unity. But I am sorry to say—I rather feel ashamed to admit—that this punishment was inflicted more on the poor people or those people who are better known in high circles as “under-dogs.” Never did any Ministry—with due deference to the Congress Ministry—ever inflicted, or caused to be inflicted, or even suggested, whipping in the case of great people, people who are known to be great people but who were at the bottom of Hindu-Muslim rioting.

My Honourable friend the Law Member has brought up the question of paper, but later on he admitted that he would not agree to this Bill during the period of the war, and I understood him to say that this was necessary in so far as it affects the Army Act and the Indian Naval Discipline Act. But, Sir, exceptions could be made with regard to the Army and Navy.

Mr. N. M. Joshi: Why? He knows the soldiers are also human beings.

Mr. Hooseinbhoy A. Lalljee: I agree with my Honourable friend that that ought not to be there. Soldiers voluntarily serving for a paltry sum of Rs. 22 should not be subject to whipping. My Honourable friend, now in the Chair, spoke the other day very feelingly with regard to protection and help that should be given to the soldiers and rightly too. But under any circumstances I appeal to the Government for two important reasons, namely, there is no use now telling the people on the one hand to fight for the equal status as free men and for the liberties of all human beings—big or small—and to have here in this country for its people on the Statute punishments like whipping. It is most inconsistent. The people of India claim that they are equal in status to any other civilized nation. Why should our Government not remove everything which would,

[Mr. Hosseinbhoj A. Lalljee.]

directly or indirectly, affect their status. When in the British House of Commons the Secretary of State said that this punishment has been approved by the people of this country, that must have been a great surprising occasion. This is what is the real position of Indians and I do appeal to my Honourable friend, the Honourable the Law Member, to consider this question from that aspect, leaving aside even the human question about which a lot could be said and has been said. I, for my part, do hope and trust that Government will not insist on circulating but will accept the Bill, and thus show to the world at large that they are really sincere and serious in their desire, with the people of the country, to raise the status of the people of India to the status of any other civilized nation.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I support this motion not only to the extent that it should be abolished in the case of civil population, but even under the Army Act, and especially now-a-days under the Martial Law regulations. The Martial Law regulations these days are causing more harm and taking away the sympathy of the people towards the Government more than anything else. Therefore, to keep this Act on the Statute Book is adding insult to injury. If the Government desires that the people of India should help in this war, they should create a good atmosphere for that. But will this Act, as it is being used, and the Martial Law regulations, as they are being used, create apathy or sympathy? I think it is a question which cannot but be answered that alienation of sympathy is taking place. Therefore, I submit that this Bill should be accepted.

I was wondering when the Honourable the Mover of this Bill said that Government is opposing even the circulation of this Bill. I was thinking why the Government should feel shy in eliciting the opinion of people. Then it came to me, and I think it is because they know that the public opinion will be against them and strongly against them. And that is why they wanted to play hide and seek. But it is only fair that the Government should try to know the opinion of people and if the opinion is strongly in support of this Bill, they should accept it.

Now, Sir, I shall tell you how the regulations that have been made under martial law are being used and shall also tell you about those under P.M. the Army Act, which latter are used in a similar, if not worse way. Under martial law we find that punishment by flogging is not being given, for instance in Sind, against the Hurs but against the boys of tender age. And for what? For picketing, circulating a bulletin and such minor offences. I have in my hand the list of the floggings that took place in Sind recently, and it is this: On 10th August, 1942, about 300 school students were awarded 3 to 6 stripes each. What did they do? They only picketed. Now, picketing was non-violent at that time, unless the police used their lathis. On the 10th and 11th November, college and school students and others ranging from 15 to 24 in age were given 8 to 10 stripes along with imprisonment. Then on 12th December five college and school students between the ages of 13 to 23 were given six stripes each.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): What was the offence?

Mr. Lalchand Navalrai: You know what offences they do: only slogans, distribution of leaflets and other things, like preventing students from going to their colleges. But even, then, why should they be flogged? There are other punishments. This is inhuman. This is vindictiveness on the part of Government; and yet they ask the people to be sympathetic towards them and help them in this war.

They were also given imprisonment. Of the five who were put into prison, one was a senior LL.B. student, named Raghmal. A batch from Majan consisting of six boys between 11 to 14 years of age, except one boy of 18, were also given 15 stripes each inside the Hyderabad Jail. They were sentenced by the District Magistrate of Dadu.

And how were they given this punishment? They were striped naked before their comrades and tied to a *tik-tiki* and then flogged on the thighs by a sepoy or *mukdam*. The cuts were sharp and severe and they did bleed. This form of punishment, which is an insult to humanity, is being resented by all. Now, Sir, this punishment is being given very freely.

In like manner, under the Government of India Defence Rules the authorities have a blank cheque, given more or less by the House, though, of course, given on promise, or rather assurance, that the Act and rules would be used leniently. But we now see how they are being used.

I will give you one or two instances. The District Magistrate encamps himself in a village. He orders that certain boys belonging to the Congress should attend the camp. They attend. The District Magistrate issues an order: "Stay here in this camp until further orders". Meanwhile the District Magistrate moves to another place, but the boys must stay in the village. Then there are three or four cases like that. The boys say they cannot stay in the village. They go to the headquarters of the police station saying that they will rather go to jail than stay at the village camp. What does the District Magistrate do? He says: "You have broken the Defence of India rule and you are sentenced to six months' imprisonment". These kinds of things are happening and yet Acts like this should remain in force. I am sorry for the Honourable the Law Member whom I know to be patriotic. He himself knows who and what he is. I cannot blame him, because he always says, "situated as we are, we cannot do anything more". But why should you be situated that way? Join us all of you Indians. You say the situation is not good for us. Then get out of the situation and do not be situated as you are. No one understands that pharaseology. However, the Honourable the Law Member, who frightened us that there would be no circulation, has come down a bit and is prepared to circulate it on condition that it should exist during the war.

Mr. Hooseinbhoj A. Lalljee: When the paper is available!

Mr. Lalchand Navarai: I am coming to the paper. I am putting it to the Law Member. He is not serious about the paper. He should not be because I am told on authority that 90 per cent. of the paper is hoarded by Government; and then if you want paper, apply to the Honourable . . .

The Honourable Sir Sultan Ahmed: There it is hoarded. I accept that.

Mr. Lalchand Navarai: This paper objection cannot stand. The second thing is, why should it be during the time of war? My honourable friend has not yet given us any reason for it. He has not said why he wants it during the war. It hits the very people whose sympathies he wants to secure for Government. Then again why use these punishments upon children? Will those acts help the progress of the war, or will they deflect it? I submit that these things do not speak well of the Government. I do not say that of the Honourable the Law Member, of course. If he were not situated as he is, he would come forward and say that this brutal Act should be stopped. This Whipping Act was used in those days when the people were uncivilised. For instance, in America when they wanted labour in the old days, they went to Africa to bring Negroes and they were savage people and they used this flogging. Now in America we find Negro officers and they are not using any flogging. Consider India to be a civilised country. Is it a civilised country or not? I can put that question to the Honourable the Law Member and other Honourable Members sitting over there. If India is not civilised, then keep an Act like this. They may say that situated as they are, they cannot do it. But I say that this savage punishment should be stopped and the Honourable Member should reconsider this question and not merely hedge it with certain conditions or restrictions as he proposes. He should be generous; and as he has changed his attitude from "No circulation" to "Circulation subject to the war", he should now accept complete circulation without any condition.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): Mr. Chairman, I can understand my Honourable friends supporting this Bill on

[Sir Cowasjee Jehangir.]

humanitarian grounds, but not being a lawyer I presume it will be considered audacious on my part to speak about law after such a well-known lawyer as my friend, Mr. Navalrai, has just sat down. I can excuse my friend, Mr. Hooseinbhoj Lalljee for being ignorant about the law, but I do not think lawyers should be excused when they mix up this question with the question of civilisation. Now, I find that there is a Whipping Act in England in existence today. If I may draw the attention of my legal friends, I may point out this—I am reading from the Laws of England (Halsbury's):

"The whipping of adult males in addition or instead of any other punishment is authorised by statute—

- (1) in the case of incorrigible rogues sentenced at quarter sessions,
- (2) in the case of persons who are convicted of discharging fire arms or explosive substances at the Sovereign,
- (3) in the case of persons convicted of offence of robbery with violence or of the offence of robbery or assault with intent to rob whilst armed with and offensive weapon or instrument,
- (4) in the case of persons convicted of the offence of attempting to choke, suffocate or strangle any one or of using means calculated to do so with intent to commit or to enable another person to commit an indictable offence."

That is the law as it stands in England; and therefore to say that India is uncivilised because it has a similar law is going rather too far. I can understand persons supporting the Bill on humanitarian grounds. There has been considerable agitation in England to repeal this Act. It may be that it may be repealed in the future; but then when you go on to argue that India is stamped as uncivilised because it has such an Act, it is an argument not based on correct facts. I can understand laymen using that argument

Mr. Hooseinbhoj A. Lalljee: England is the only criterion—no other country?

Sir Cowasjee Jehangir: You said every civilised part of the world. In France it exists to my knowledge; it is put into practice in Germany every day; it is put into practice in many countries in Europe. There are perhaps millions of people all over the world who support legislation to repeal this kind of legislation which might happen to be on the statute book; and I can understand their feelings and sympathise with them and I do consider that whipping should be given in the last resort and should be confined to rogues of the first order. That is a different matter, I repeat, to arguing that India is uncivilised because it has such a statute. If reasonable arguments are advanced, one can sympathise with them, but when arguments are mixed up with ignorance, I am afraid, it will not go down either with this Honourable House or with the more intelligent public. Now, by all means ask that this Bill be circulated for opinion and let us know the opinion of men who have to administer the law

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Does my Honourable friend know that in India flogging is generally used for first offenders?

Sir Cowasjee Jehangir: I have not understood the Honourable Member, and it is impossible to follow him. At any rate I do contend that when we discuss such matters in this House, if we discuss them in moderate language it is sure to make an appeal not only to the Government but to the public; and if there are a large number of Honourable Members here who feel that such a punishment under any circumstances is barbaric, they have not only a right to express those opinions but to urge those opinions. Therefore, if they really believe that for the worst cases of rape, whipping is undeserved, they are welcome to their opinion; but in my humble opinion in the worst cases of rape whipping is sometimes a punishment that is well deserved. Therefore, you must not condemn the punishment straight off, but compare it with the offence for which it is prescribed. Under the circumstances, if this Bill is to be circulated it can do no great harm; it may do some good and it will bring to the knowledge of this House the opinion of men who have experience in the

discharge of their duties, as to how far it has been effective and how far ineffective. I have been told by some magistrates—you may call them barbaric, you may call them inhuman—that the deterrent effect of whipping goes much further than a long sentence of rigorous imprisonment.

Maulana Zafar Ali Khan: Sir, while I was listening to Mr. Lalchand Navalrai's harrowing details of flogging in the case of students, hundreds of students, my blood was boiling with indignation. My view of the question is that flogging even in uncivilised countries should be regarded as justifiable in the case of persons who are accused of moral turpitude and who are incorrigible. But in the case of children of tender years, boys, school boys whose only offence is that they call upon the British Government to 'Quit India' or who raise similar slogans of a comparatively inoffensive nature—to flog them is the height of barbarity.

The Honourable Sir Sultan Ahmed: Then you are not for total abolition.

Maulana Zafar Ali Khan: If Government are reasonable and logical in their position, the first person in India to be whipped and flogged is Mahatma Gandhi. Did he not declare from the house-tops that he had raised the standards of revolt against Britain? If following his example school children say, you people of Britain, 'Quit India', the responsibility for it lies on Mahatma Gandhi. But instead of whipping him, you have placed him in a palace and the Viceroy is carrying on correspondence with him. But you know perfectly well that if Mahatma Gandhi were whipped, he would have become another Uncle Tom in India, and India does require an Uncle Tom to remove this slavery with which we are being twitted not only by the Honourable the Law Member but by Mr. Amery in England. Mr. Amery justified whipping because the Congress Government in Bombay did that on a similar occasion. If you are so fond of copying the Congress, why not copy it in other matters? The Congress says, we want independence of India, we want freedom of India. Do you concede that principle because the Congress says so? Certainly not. Whipping and flogging in the case of children, in the case of school boys and others is a symbol of inhumanity, and if any government, any legislature places such an Act on the statute book, it is a disgrace to law, a disgrace to humanity, and a disgrace to everything. With these few words, I join my voice most strongly with those who are in favour of this measure, and I hope that, situated as he is, the Honourable the Law Member will somehow prevail upon the Viceroy to do the right thing.

Sardar Sant Singh (West Punjab : Sikh): I congratulate the Honourable the Law Member on his attitude so far as the principle of the Bill is concerned. He concedes the principle underlying this Bill, and that principle is that whipping is undesirable. But, instead of total abolition, he pleads for partial abolition. That might be the method to which some temperaments are accustomed. Having conceded that principle, it is difficult to follow him further when he says that during the period of the war this punishment should remain on the statute book. Once we are committed to the rule of law, we fail to understand why an exception should be made during this period. My own view is that in such periods as these we need strength of character and we have to rise above our surroundings. It is in such periods as these when the panic-stricken bureaucracy resorts to methods which are regarded as highly objectionable in peaceful times—it is in such periods that the legislature and the persons who stand for the liberties of the people should come forward boldly to propose measures by which the over-zeal of the bureaucratic Government can be controlled. We have seen that in Sind this punishment has been resorted to in the case of young children for offences who, in any other country, would have simply been let off by merely giving a warning. Is it not time that we should revise our policy then about this? I am tempted to refer to the agitation in Sind, I mean the Hur agitation that has been going on for about a year. During this period we have seen the martial law regime in Sind.

Sir F. E. James (Madras : European) : That is Mr. Lalchand Navalrai's subject.

Sardar Sant Singh : That is between you and him. The Hurs had no sympathy from any quarter for the acts or misdeeds they were committing there. Yet we find that though the martial law has now been for over ten months, Government have not been able to bring the movement under control, under complete control. Government may claim that they have been able to bring it under control. They claim that by resorting to such punishment as whipping, destruction of property and destruction of their houses, the Government will be able to meet the situation. But the Government have failed. It is not that they lack energy or sufficient power behind them, but because the methods that they adopted were too inhuman, the result was that, instead of bringing them back to right lines, Government have succeeded in introducing the iron into their souls and the Hurs are fighting to the bitter end. The remedy that has been applied for the purpose of bringing Hurs to book has resulted in worsening the disease. This is exactly the effect of inhuman punishment. I do not stand on the ground of humanity alone, or civilisation alone when I plead for abolition of whipping. I stand upon the well established fact that such a punishment does not cure the criminal tendencies of those on whom that punishment is inflicted. Was there not a time when for mere theft the hands of the offender were cut off or persons were sent to the gallows? Why were those punishments abolished? These punishments did not reform the criminal; rather they hardened him into a worse criminal. My Honourable friend has just quoted that such a statute exists in England. It does exist, but will he please tell us how long ago when it was used on the last occasion? There are many things on the statute book. I think Sir George Spence, the gentleman who provided the book to the Honourable Baronet who quoted from it—he should be able to give us some figures as to how many times it has been used during the last ten years.

Mr. M. Ghiasuddin (Punjab : Land Holders) : Many times.

Sardar Sant Singh : I should like to know how many times.

Mr. M. Ghiasuddin : I have not got the figures, but certainly reading the English newspapers, one comes across such news.

Sardar Sant Singh : I have not got that fortunate news which my Honourable friend has given.

Mr. M. Ghiasuddin : I did not say fortunate.

Sardar Sant Singh : I should like the Government to give us correct figures, as to for what offences and how many times. These are the two points on which we ought to have some information. On the other hand, we have furnished you with a list of names of young men below eighteen at any rate, and sometimes at the age of twelve, who have been flogged and rendered useless for their whole life. Do you know what humiliation the victim feels after he has been punished like this? Is any initiative or humanity left in him after he comes out of the jail, with the marks of flogging on his buttocks? Can you visualise it? What will be the psychological effect of such a punishment? It is very easy to say that it provides safety to the people by inflicting such punishment but it does not cure the criminal. On the contrary, it tends directly to increase the number of criminals. After all, we are here to administer the law and maintain order. We find that order is maintained but not law. The rule of law contemplates certain mental psychological standards. Unfortunately we have not got it in this country. We have been fighting for this rule of law. I am at one with the Honourable the Law Member when he persists in maintaining the rule of law in this country. I am prepared to go as far as I possibly can to help the administration to maintain the rule of law in this country but my difficulty is that in India the bureaucratic rule under which we have been living for the last 100 years prefers order to rule of law. There is no law.

There is only order. The recent disturbances throughout the country provide us many instances of excesses committed in the name of law and order. The bureaucracy says that law must be maintained but what they mean is that order must be maintained.

The Honourable Sir Sultan Ahmed: We will have to confine ourselves to the motion before the House. I do not think the Honourable Member need go into incidents connected with the recent disturbances.

Sardar Sant Singh: What I am submitting is that the rule of law does not mean rule of barbarism and this whipping is a rule of barbarism and not a rule of law. That is why we want its abolition. We in India are differently situated from England. In England, the judiciary has a very high standard before it but here in India we maintain order at any cost. Therefore, such punishments are inflicted lightheartedly. On that ground alone, I will appeal that such a law should not exist in the statute book of India.

As regards the suggestion that there is no paper and that therefore the motion should not be circulated, I think my friend will himself feel that this is not a very strong argument for opposing circulation.

An Honourable Member: Raise subscription and give them paper.

Sardar Sant Singh: We would like to subscribe to the cost, if that is the only argument against the motion. My submission is that when we are considering the merits of a particular Bill we must consider it from a broader point of view. Today, whipping has been applied so frequently that the soul of India revolts against it and yet the Secretary of State for India, Mr. Amery, says that there is no complaint from India. I will refer to the question of censorship. Today, the censorship is so complete, that no complaint can be published. This reminds me of a thing which happened during the martial law days in the Punjab in 1919. A martial law administrator said that actually people had come to him to congratulate him and said that martial law was the best rule for the country. When the Hunter Committee went into the question, they discovered that it was not the best and that the impression existed only in the swollen brain of the administrators of martial law. Once you concede that this law requires amendment, then the question of lack of paper should not stand in the way of this motion being accepted.

The Honourable Sir Sultan Ahmed: I have listened to the speeches of my Honourable friends and I feel that out of deference to their views I should not stand in the way of circulation. I have got respect for the House and whenever I find that there is a section of the House which is anxious to have the matter considered, I am prepared to accede to that request and therefore I will not oppose this motion.

Mr. Chairman (Mr. Jamnadas M. Mehta): The question is :

"That the Bill to abolish the punishment of Whipping be circulated for the purpose of eliciting opinion thereon by the 15th September, 1943."

The motion was adopted.

THE INDIAN PENAL CODE (AMENDMENT) BILL,

(AMENDMENT OF SECTION 299, ETC.)

Qazi Muhammad Ahmad Kazmi (Meerut Division : Muhammadan Rural) : Sir, I beg to move for leave to introduce a Bill further to amend the Indian Penal Code (Amendment of Section 299, etc.).

Mr. Chairman (Mr. Jamnadas M. Mehta): The question is :

"That leave be granted to introduce a Bill further to amend the Indian Penal Code (Amendment of section 299, etc.)."

The motion was adopted.

Qazi Muhammad Ahmad Kazmi: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTIONS 378 AND 429.)

Qazi Muhammad Ahmad Kazmi (Meerut Division : Muhammadan Rural) : Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of sections 378 and 429).

Mr. Chairman (Mr. Jamnadas M. Mehta): The question is :

"That the leave be granted to introduce a Bill further to amend the Code of Criminal Procedure 1898, (Amendment of sections 378 and 429)."

The motion was adopted.

Qazi Muhammad Ahmad Kazmi: Sir, I introduce the Bill.

THE INDIAN MERCHANT SHIPPING (AMENDMENT) BILL.

Khan Bahadur Shaikh Fazl-i-Haq Piracha (North-West Punjab : Muhammadan) : Sir, I beg to move for leave to introduce a Bill further to amend the Indian Merchant Shipping Act, 1923.

Mr. Chairman (Mr. Jamnadas M. Mehta): The question is :

"That leave be granted to introduce a Bill further to amend the Indian Merchant Shipping Act, 1923."

The motion was adopted.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Sir, I introduce the Bill.

THE DURGAH KHAWAJA SAHEB (AMENDMENT) BILL.

Maulvi Muhammad Abdul Ghani (Tirhut Division : Muhammadan) : Sir, I beg to move for leave to introduce a Bill further to amend the Durgah Khwaja Sahab Act, 1936.

Mr. Chairman (Mr. Jamnadas M. Mehta): The question is :

"That leave be granted to introduce a Bill further to amend the Durgah Khwaja Sahab Act, 1936."

The motion was adopted.

Maulvi Muhammad Abdul Ghani: Sir, I introduce the Bill.

Mr. Chairman (Mr. Jamnadas M. Mehta) : As there is no other business on the agenda, the adjournment motion will now be taken up. Mr. Bajoria.

MOTION FOR ADJOURNMENT.

THE PAPER CONTROL ORDER.

Babu Baijnath Bajoria (Marwari Association : Indian Commerce) : Sir, I move :

"That the Assembly do now adjourn."

I take this opportunity of drawing the attention of the Honourable the Government Member—I do not know exactly who is in charge of this subject, whether the Commerce Member or the Labour Member; but I find the Labour Member is here and so I think he is in charge of this subject, but the question on this subject this morning was answered by the Honourable the Commerce Member. Anyhow, to us any assurance from either of them will be equally good. I want to draw the attention of the Honourable the Labour Member to the great inconvenience which the public in general has felt on account of the recent order of the Government of India requisitioning 90 per cent. of the total production of the paper mills in India, leaving only 10 per cent. for non-Government consumption. To understand the gravity of the situation I think some figures are necessary. I am much obliged to my friend, Mr. Neogy, who is not here at the present moment, because he asked a question this morning which was answered by the Honourable the Commerce Member and it has made my position very much easier. Government has admitted that the total production of the paper mills in India at the present moment is 96,000 tons annually.

Of this they are leaving only 9,600 tons a year for non-Government consumption. We have to see what was the consumption for non-Government purposes and for convenience sake I will call it civil consumption. It includes the consumption for Universities, for trade and industry, for general public and I hope I am not wrong when I say even for the municipalities and local authorities. Now, what was the consumption of the civil population in pre-war time? It was 199,000 tons. This figure has also been given by the Honourable the Commerce Member and so I stand on very strong ground and nobody can challenge it. Now, from 199,000 tons a year we are asked to come down to 9,600 tons, which represents even less than 5 per cent., to be accurate 4·8 per cent.

Now, let us see what the Government has done which is boasting so much that they have economised the consumption of paper? Their consumption of paper in pre-war years was only 20,000 tons a year. These figures are also not mine but are Commerce Member's. What is their present consumption? It is 86,400 tons. From this figure I am excluding the figure of the imported paper most of which, if not all, has also been taken and consumed for military and Government purposes. As regards this imported paper, Government have said that the imports for the months of April to October, 1942, were only 2,285 tons, but the figures which I have got are both for paper, paste board and stationery and they show that for 8 months from April to November it was worth Rs. 1,75,00,000. If the bulk of it is stationery and paste board, then I stand corrected because no figures for paper alone are available to me. Even leaving aside the consumption of imported paper by Government, according to the production of the local paper mills, it represents an increase to 432 per cent. in the case of Government consumption. Government consumption has been increased to 432 per cent. whereas we are asked to economise to the tune of 4·8 per cent. It really means that we have to do without paper. Is it just and fair? How can Government expect us to use only one sheet of paper where we were using 20 sheets of paper? Then, again, with regard to the consumption of paper *per capita* in this country. Even in pre-war years it was, I think, one of the lowest as compared to other countries in the world. Let me inform the House what the Government has said about their economy. I think it will be better for me to read verbatim the reply which has been given by the Honourable the Commerce Member this morning. He said :

"The measures enforced are estimated to result in a saving of 10,000 tons in consumption of the Central Government alone during the second half of the current financial year. Central Provisional Office's demand for the same period has been cut down by 1,500 tons and outstanding supplies to Provincial Governments and Indian States reduced by 10 per cent. at the mills."

What they have done is that they have curtailed their demands by 10 per cent. Still, the demands of the Government were very high, so much so that they are now consuming at least 86,400 tons. I think there is still room for a considerable saving of paper by the Government. When there is so much disparity between the increase of consumption by the Government and the reduction in the consumption of paper by the public, something more should be done for the public.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): Do you include newspapers amongst the public?

Babu Baijnath Bajoria: The figures which I have given do not relate at all to the newsprints. It is only about paper that I am talking. Newsprint is not at all manufactured, as the Honourable Members know, in this country. I will come to that point later. Government has done very little, for the manufacture of paper in India. What I am at present saying is only about the paper consumption in India. Apart from Government consuming paper in India, even at this time when paper is so scarce they are exporting paper in large quantities to foreign countries, especially to the Middle East. The Hon-

[Babu Baijnath Bajoria.]

ourable the Commerce Member today said that they would export 7,500 tons between November, 1942 and March, 1943. Again, he goes on to say in the course of supplementary questions that they have reduced their exports. If the export of these 7,500 tons in five months means a reduction, I would like to know from the Honourable the Government Member what was their rate of export since the war began? Sir, they want to export 7,500 tons during the five months to the Middle East, and during those five months leave for consumption in this country only 4,000 tons. It means that they want to export double the quantity to the Middle East than what they want to leave for civil consumption here for the whole country. It is an absurd proportion. If this motion for adjournment brings them to their senses, then, I think, something will be done. Sir, Government have again said that as regards paper economy they have referred the matter to the War Resources Committee. I do not know what this War Resources Committee is, what are its functions. Personally, I think this is a *gharelu beopar*. Only a few Members of the Government may be members of this Committee. One Department will say give me so much paper and another Department will say give me more and more paper, and finally, they will compromise among themselves. Sir, I would like to know from the Honourable the Government Member what are the functions of this War Resources Committee. We have never been taken into confidence about this Committee. We do not know its functions. I think Government should take this House into their confidence, and place some facts and figures before us.

Another thing which is most curious and I believe it will be of great interest to the House to learn, and it is that Government have huge stocks of paper and they are hoarding paper.

The Honourable Sir Sultan Ahmad (Law Member): Somebody says you are hoarding paper.

Babu Baijnath Bajoria: I, no, no. Government have got large stocks of paper in paper mills. Thousands of tons of paper lying at paper mills, which Government do not know where to despatch. They are still lying at the mills without any despatching instructions from the Government.

Mr. Chairman (Mr. Jamnadas M. Mehta): The Honourable Member's time is up.

Babu Baijnath Bajoria: Sir, I think I will get 20 minutes. May I get a few minutes more?

Mr. Chairman (Mr. Jamnadas M. Mehta): No, you can't.

Babu Baijnath Bajoria: Sir, I move:

Mr. Chairman (Mr. Jamnadas M. Mehta): Motion moved:
"That the Assembly do now adjourn."

Sir F. E. James (Madras: European). Sir, there is a well known saying by Burke in one of his speeches relating to American Colonies in which he said that he had in general no very exalted opinion of the virtue of paper Government. My opinion of the Government of India has declined since they have announced that they have reserved to them 90 per cent. of the total paper production in the country. Sir, I should like to bring to the notice of the Honourable Member and his colleagues the fact that they have not yet begun to exercise real economy in the paper which they themselves use. To illustrate that point I have brought to the House one or two exhibits this afternoon. I should, first of all, like to deal with the Honourable Member who, I believe, is in charge of this subject, the Member for Labour. Among many of his portfolios he has control over the Public Works Department. If so, may I suggest to him that he might look into this Department for paper economy; for example, in the submission of bills. Some of the Honourable

Member of the House have the pleasure of living in the Western Court. I lived there for some years but have now moved to a more salubrious neighbourhood. When I lived there I used to be given my bill for rent once a month. Here it is. It is not a legal document. This is the Public Works Department bill for rent of three rooms in the Western Court. Apart from the waste of paper, it is an enormous waste of labour, because the rent is divided into about eight different heads.

Sir Cowasjee Jehangir: Nobody else gets such details.

Sir F. E. James: I am surprised that the Honourable Member, who has such a great reputation for financial rectitude, should pay his rent of a smaller bill.

Sir Cowasjee Jehangir: I have got my bill on a smaller piece of paper.

Sir F. E. James: That shows discrimination. Here, I am, a poor man who gets a large bill, and my Honourable friend, who is a rich man, gets a very much smaller bill.

Let me now pass on to another exhibit, that is the *Gazette of India*. I shall deal with the actual setting up of the type of the *Gazette* shortly. I hold in my hand a copy of a part of the *Gazette* running to 110 pages: *Gazette of India Extraordinary*, dated 28th January, 1943, giving a list of firms which are to be regarded as enemy firms for the purpose of part 15 of clause E of rule 97 of the Defence of India Act. I do not expect anybody has read the names of these firms, which are resident in South America, and I am not aware that our trade with this continent is such as to justify the enormous expenditure of paper in publishing that kind of detail. I shall, of course, be told, well, we must do this, because it is a statutory obligation. If the Government of India are responsible for such a foolish rule, they can alter it. There are many less foolish rules which they have altered without recourse to the Legislature in the past and they can easily do that again.

Let me turn to another exhibit which was mentioned this morning in the course of questions. The Government of India enjoy the benefit of a publication which is called the *Indian Information*. I remember the publication when it was first produced. It was insufferably dull. Then it got into the hands of a new editor who is, I believe, a very lively and attractive lady from Calcutta, and her influence upon the production of this paper made a great improvement. Unfortunately, Government cannot make up their mind whether this is to be purely a reference book or whether it is to be a dull imitation of vogue. The result is that the Government fall between two stools. On the one hand it is not a particularly good reference paper, and on the other hand, it is still dull! May I suggest that as much information as is required can be contained in a adequately-sized book which would use about one-third of the paper now used by the *Indian Information*. The *Indian Information* is of course interesting to those

4 P.M. of us who are acquainted with the Honourable Members, whose biographies appear from time to time, and it is entertaining to those who move about in official circles. But surely it cannot be claimed that the whole of this space is really valuable to anybody. How convenient it would be to everybody, if, the *Indian Information* were printed in the size of a magazine like Strand today. This goes into your pocket. I can imagine my Honourable friend Babu Baijnath Bajoria, while he travels to his office by bus in Calcutta, taking this book out of his pocket and reading it as though it were a novel. Then he would not make so many mistakes of fact in his speeches. Here is another Exhibit which I show the House the *Gazette of India*, which I believe is published every week, containing printed matter only in one half of a page, showing the details about the Post Office Cash Certificates. Anybody who is acquainted with printing knows that it is quite unnecessary for the space to be taken up that is here taken up in the heading. Economy in paper is not only cutting down the actual size and weight of the paper, but is also the

[Sir F. E. James.]

distribution and kind of type. Printing can help to go a long way towards making some of my friend's calculations look very much better than they are today.

I would ask the House, with your permission, Mr. Chairman, to turn to our own papers. Take for instance the Legislative Assembly questions every day. What a gross wastage of paper there is in the broad margins on both sides and in the caption at the top. No, Sir, the Government of India have never been really serious about this shortage of paper. All it has done is to say, "we must have 90 per cent, and you have the remaining ten per cent". I venture to say that if the Government took this matter seriously, they could cut down their requirements to sixty or seventy per cent and allow the commercial and other organisations in this country, which are after all quite important, to have a better share of the available paper.

Now, Sir, it may be said, how can you effect what you are striving to describe. Well, Sir, as I said in the supplementary questions, I would like to bring to the notice of the Honourable Member the experience of the United Kingdom, where, although according to one of my Honourable friends, they may not be civilised, they have learnt the art of economy in war time. There they appointed a Paper Economy Committee, not all of bureaucrats, because if you ask a bureaucrat to save paper, it is like asking a man to commit suicide, and that is hardly fair—a Paper Economy Committee composed of people who are much more experienced than the bureaucracy in business methods and in the manipulation of space and type. In the United Kingdom they appointed a Committee to assist the Ministry of Production in obtaining a reduction in the consumption of paper. The Committee had to examine all cases of excessive use of paper and to take necessary steps to effect economy. Who were the Members of this Committee? Its Chairman was, as I said this morning, a distinguished Chartered Accountant. There were two other Members. One was the Managing Director of George Newnes Ltd., a company which is accustomed to publications and whose publications have now to conform to the economic use of paper required under war conditions; and the second is the Managing Director of Thomas de la Rue and Company. These are men who really do know what they are talking about. I suggest that my Honourable friend, the Member for Labour, who has a reputation for getting things done, might well take a leaf out of the book of the United Kingdom in this respect. That is one thing that I suggest they might do.

The second thing that they might do is to put into effect the order which they themselves issued on 7th November, 1942. Wherever you go in different parts of the country, you see this order being quietly and definitely infringed. I have received annual reports of clubs printed on expensive paper with very wide margins which should not have been allowed and are actually contrary to the terms of the Government order. The other day, when I was in Bombay, that home of light and learning and entertainment, I went to a variety entertainment given in one of the local theatres in aid of the Royal Indian Navy. As I was entering the vestibule, I was approached by an extraordinarily attractive Muslim lady who asked me if I would buy a programme. Well, I bought the programme at a cost of Rs. 10, but I never looked at it from the moment I purchased it, because it consisted of 18 pages of art paper entirely dealing with advertisements for things which I did not want to buy. Inside was the programme, but inasmuch as the programme consisted of films and the lights were out, I could not read it at all.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I am not saying for a moment that it was not money well spent in a good cause. My point is that the printing of that programme was definitely contrary to one of the terms of this order. If my Honourable friends on the Treasury Benches are really serious, then they must read the *Gazette of India*, dated

7th November, 1942, wherein is the Paper Control Order. It is very thorough and inclusive and if it were really put into operation a great deal of expenditure of paper which is now being made could not possibly be made. These are the two definite suggestions.

Now, I would not close without saying that I do not place all the blame for wastage of paper upon Government departments. People in non-Government circles are in many cases equally blameworthy. I have indeed seen in different parts of the country gross cases of extravagance. But on the whole, I believe that the business world is taking this necessity for economy in paper far more seriously than the Government of India. May I ask my Honourable friend, Dr. Ambedkar, to look into this matter. I have given him two quite constructive suggestions which he can put into effect within the next 24 hours and establish real economy in paper. Will he live up to his reputation and, on this occasion at least, get something done?

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadian Urban): Sir, the Government notification which monopolises the use of paper for itself seems to be an absurd one looked at from every point of view. When it is said that the Government require 90 per cent of the total amount of paper produced in the country and they only leave about 10 per cent for the use of Universities, Colleges and schools and for business in various walks of life, it shows that the Government are very selfish in this matter; not only that, the Government have a callous disregard to the needs of the people. Sir, I am an educationist and as an educationist, I enter my emphatic protest against this decision of the Government. India has a very small literate population, but if this notification continues for any length of time, the country will relapse into illiteracy altogether. What is the use of Government having all the monopoly to itself. My Honourable friend, Sir F. E. James, has placed before us some Exhibits, quite a number of them, to show that Government are not economising use of paper. My Honourable friend the Mover of this Motion, Babu Baijnath Bajoria, has pointed out that while the Government are preventing the use of paper in this country they are exporting large quantities of paper to foreign countries. Is that right? If that be a correct state of things, then it should be said that Government are absolutely indifferent to the interests of the people of this country. Sir, my Honourable friend, Sir F. E. James, said that this Government was a paper Government. I entirely agree with him that this is a Government which has no mind, no heart, and no feelings and it is entirely carried on only on paper. If it had been a national Government, a government by the people and for the people, things would have been quite different. I insist, Sir that the Government should reverse this order immediately and should restrict its own use to 10 per cent of the paper produced in the country and release the remaining 90 per cent. for the use of the schools, colleges and universities and the business people. That would be the correct thing to do, and I hope no time will be lost in doing this.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadian): Sir, in this connection I want to make a few brief observations. Newsprint in this country has become very scarce and journalists are confronted with a very grave situation. It is a matter of life and death for them. The rate of the quota sanctioned for the papers has been reduced by 75 per cent. further. For instance, a Paper which was buying five reams of paper every day for its requirements has now been reduced to the necessity of getting only one ream, which means that commercially a very severe loss has been imposed upon the Paper. I have not got a very high opinion of the Government's sympathy for the people in this country, but I do not go to the length of charging the Government like my Honourable friend, Dr. Banerjee, with absolute callousness bordering on enmity for India.

An Honourable Member: How much callousness do you suggest?

Maulana Zafar Ali Khan: I think the Government could have managed to import paper from Canada if the shipping was there. When large convoys consisting of scores of ships convoyed by armed cruisers can sail the Atlantic and reach England, pass through Gibraltar and come down to Mediterranean, is it not possible for the Government to supply the needs of the Near East in that way. It is possible for them, but what they actually do is this. They give us four thousand tons and send eight thousand tons to the Near East. What do they mean by the Near East? Is Turkey included in it? If it is included and certainly it is included, then I would like to point out to them the gist of certain remarks made by the Turkish Delegation now in India when we invited them in Lahore. I asked the Leader of the Turkish Delegation "Do you feel scarcity of paper in Turkey because some of your Papers have got very large circulation, over 60,000." He said, "We do feel." I said, "Why? You are in commercial relations with Hitler's Government. Why cannot you import paper from Norway?" He said, "Owing to lack of transport, but we import our paper from Finland." So they have got resources of their own. If you require this paper for Persia or for Arabia, the need must be very little, because all along the African coast since General Montgomery's historic march from El Alamein to Tunis, the whole of the Mediterranean coast is in your hands. So either you will have to admit that the U Boat is really a very great danger and you cannot manage even one ship loaded with paper to be brought from Canada to India or do something to meet our requirements. You can very easily do so if you like.

I am not with Dr. Banerjee when he says that we will be reduced to the necessity of relapsing into illiteracy, because this war is, after all, not going to be eternal. War must end one day. It may go on for another year or two years, but after three years are over conditions will become a little more normal and paper will be coming in. But during those two or three years something must be done, because we can do away with the morning *chhota hazri* but we cannot do without the morning paper. That is a necessity for all civilized people. So, I should like the Honourable the Labour Member to consider this question very carefully and find out whether it is possible for him to get a ship load of paper, as promised, by April—and earlier if possible. In this connection I must inform the Labour Member that paper has been hoarded by certain paper merchants and it is lying underground. Why not acquire the whole of the quantity of paper in India from the agents and dole it out according to the requirements of the people. The Government can do it. But they will not do it. Their policy of control is very mysterious. We cannot understand it. This control of paper has been the cause of great trouble to us, and we suggest that you should pounce upon these paper dealers, place the stock in provincial godowns and then, according to the requirements of the people—educational requirements, journalistic requirements—dole out the paper yourself. Will the Government consider this proposal, a very earnest proposal? If they do, I will have to thank them, otherwise, curse them.

The Honourable Dr. B. R. Ambedkar (Labour Member): I am indeed very glad that the Honourable Mr. Bajoria brought forward this adjournment motion which enables Government to place before the House the facts with regard to the paper situation in this country. Sir, in the speeches that have been delivered in this House some very harsh things have been said about Government. The Government is accused of being callous, of being selfish, of being hard-hearted, of having no consideration for the educational institutions of this country. In the reply that I propose to give, I do not wish to bandy words. I merely propose to place before the House the facts as they are, the reasons which led the Government to issue this order, the steps that the Government has taken in order to ease the situation immediately and for the future.

Sir, I would like to begin by pointing out to the House that there appears to be a certain misunderstanding about the nature of the order which has been issued by the Government. Member after Member has risen in this House to suggest that the order passed by the Government in fact means that the Government claims 90 per cent. of the paper production for itself. I would like to tell the House that that is a complete misunderstanding. The order passed by the Controller of Paper is not a requisition order. It is an order which in turn says that the manufacturers of paper shall be bound to hand over to Government 90 per cent. of the paper that they produce. The order is what I may call a freezing order, and I want to tell the House that that difference that I am making is a real difference. It is not a difference without distinction, because the order, as it stands, all that it tells the paper-makers is that they shall not sell more than 10 per cent. of their production to the public. It does not in turn say that they shall deliver 90 per cent. of the paper to Government. That I think is a very fundamental and a very real distinction which the House should bear in mind.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): What is the difference in effect?

The Honourable Dr. B. R. Ambedkar: The Government may release more than 10 per cent.

Babu Baijnath Bajoria: How?

Dr. P. N. Banerjea: When wisdom dawned on Government?

The Honourable Dr. B. R. Ambedkar: It is the order as it stands. I am not giving the interpretation of the order. I am explaining the terms in the nature of the Order.

(There was an interruption, several Members speaking.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

The Honourable Dr. B. R. Ambedkar: The second point which I want the House to bear in mind is that the order is served on the paper mills. It is not served on the stockists, who have a large number of stocks of paper already in their godowns. Secondly, it is still possible for the public to satisfy its requirements by getting such paper as is still available in the stocks which have been stored and hoarded by stockists before the order was passed. The third thing which I wish to remind the House about this order is this: that it is possible under the order, as it is framed, for the Controller of Paper to permit the mills to sell more than 10 per cent. There is no bar, there is no impediment, no obstacle placed if the Controller of Paper, notwithstanding the order that has been passed on the 5th November, finds that it is possible for him to release for public consumption more than 10 per cent. of the paper. It is still open to him to do so. Having explained to the House what is actually involved in the order issued by the Government, I would like to take the House and acquaint it with the immediate circumstances which compelled Government to pass this order.

Briefly, the facts are these. In the first six months, *viz.*, from April to September, our demand for paper, which is put forth by the Central Stationery Office, amounted to 84,000 tons. It was found that the mills had already delivered about 16,000 tons of paper to Government on behalf of the Central Stationery Office. The House will bear in mind that we had entered into a contract with the paper mills for supplying us 25,900 tons. If the House will enter into a little arithmetic, it will be found that as a result of our calculations for the first six months it was found that we had only 9,000 tons to get under our contract from the paper mills and had to run six months yet. Consequently, what the Government did was this. The Government revised its estimate in the light of the circumstances that had been disclosed during

[Dr. B. R. Ambedkar.]

the previous six months. The second thing that the Government did was to consolidate the method of requisitioning paper, and here I would like to tell the House that before the order was passed there were two methods by which demands for paper on behalf of Government were put forth. One way was the Central Stationery Office demand, which was a demand on behalf of the Central Government, and the provinces of Bengal, Orissa, Assam, and the North-West Frontier Province and the Central Provinces. The other was the non-Central Stationery Office demand, made on behalf of what are technically called the Non-C. S. O. provinces, i.e., the provinces who presented their demands independently of the Central Stationery Office, plus Indian States, Security Printing, Supply Department, and non-State Railways. It was found that these two independent methods of requisitioning paper for Government created a great deal of difficulty in arriving at an accurate estimate of the total demand for paper, and consequently the first step that was taken was to consolidate these two channels of demand into one single channel, and the whole matter is now concentrated in the hands of the Central Stationery Office.

As I told the House previously, when the situation was found to have grown somewhat perilous on account of the excessive use of paper, and practically overdrawing over the contract amount, we revised the estimates and centralised the demands, and the position at the end of October worked out to these figures:

The Central Stationery Office demand for the next six months, i.e., from October to March 1943 was fixed at	32,000 tons.
The Non-Central Stationery Office demand was fixed at	9,500 tons.
Together the total came to	41,500 tons.

On the basis of the production of the mills during that year, it was calculated that the mills would produce 47,575 tons during October and March. It will be found that the Government demand of 41,500 tons represented 87 per cent. of the mills production during the six months. Roughly it was 90 per cent., and that is the reason why the order maintained 90 per cent. as the figure. Now, the House will understand why it became necessary in November to issue this order. I want to tell the House the measures that the Government has taken in order to increase production of paper.

Of course, as the House will realise, it is not possible for Government to help the paper mills in the importation of additional machinery in order to enable them to increase their production. The difficulty of shipping is quite well known and it is quite beyond the powers of the Government to do anything in the matter. Consequently we have to work out whatever we can to increase the production of paper within the means which are available to us; and I would like to draw the attention of the House to three things which the Government has done and which could be usefully referred to as measures taken to increase production. The Government has appointed a paper production officer, whose duty it is to find out ways and means by which production of paper could be increased

An Honourable Member: Who is this gentleman?

The Honourable Dr. B. R. Ambedkar: Mr. Bhargava. Secondly, the Government has cut out non-essential luxury varieties of paper and has restricted Government requirements to only a few easily manufactured standard qualities. Thirdly, the Government has been dealing with each mill separately to find out what sort of paper each particular mill, having regard to its machinery and its equipment, can produce to the largest extent. It is estimated at present that as a result of the measures taken to increase production, the increase would be about 12,000 tons.

The next thing that the Government has done in order to ease the situation is to impose cuts, arbitrary cuts, on the demands of the various departments made for paper. These cuts are as follows: provincial and state requirements have been cut down arbitrarily by 10 per cent., which gives a saving of 950 tons. Secondly, so far as the Central Government is concerned, the budgets for paper presented by the various departments which spend paper—their original estimates have been revised and cut down to an appreciable extent. To illustrate what the Government has done in the matter of revising these estimates, I would place before the House the following figures. The original estimate of the civil departments was 11,400 tons and it has been cut down to 4,600 tons during the six months. The original estimate of the Defence Department was 15,000 tons and it has been cut down to 10,000 tons. The Eastern Group Supply Council's original estimate was 9,400 tons and that has been cut down to 7,900 tons. The Supply Department's requirement of 3,100 tons has been increased to 4,500 tons—that is commercial paper used for industry. As the House will notice, the original estimates of the departments to which I have referred came to 39,100 tons, while the revised estimates come to 27,600 tons. The House will be pleased to notice that, as I have already indicated, by the cut imposed on the provincial and Indian State requirements a saving has been effected of 950 tons. And to that 11,900 tons obtained by revising the estimates of the different departments and the total comes to 12,850 tons. Now, compare this in the light of the paper that is consumed in India. There are no exact figures nor is it possible to obtain any exact figures; but such figures as Government have show that the annual consumption of paper in India was about one lakh of tons: for six months it comes to 50,000 tons and as the House will remember, ten per cent. of that is already left to the public under the orders issued by the Controller of Printing. That gives the public 5,000 tons. Add to that the 12,850 tons which have been saved now or will be saved by the reductions I have referred to, the total paper which can be released is 17,850 tons which as the House will see comes to nearly 33 per cent. of what the public consume during peace time . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up; there is no option.

The Honourable Dr. B. R. Ambedkar: I was going to refer next to the measures that we have taken in order to avoid waste. As my time is up I do not wish to go into those details. I can send them to the press, if that is the view of the House.

The next thing that I would refer the Honourable House to is what we propose to do for the next year. For the next year the estimate is about 70,000 tons; in that what we have done is this; we have fixed the quota of every department which needs paper. For instance, the Controller of Broadcasting is told he will not get more than 260 tons; the Counter-Propaganda Directorate will have only 100 tons; National War-Front 350 tons and Public Information 300 tons. There is a lot of other matter which, if I had time, I might have presented to the House. All that I want to say to the House is that it is not fair to suggest that the Government is callous. I do not deny that there is probably still enough room for economy, and I am very much obliged to the Members who have made various suggestions as to how economy could be effected, and I will certainly convey those suggestions to the proper quarters, so that action may be taken. I hope that the Honourable Members will be satisfied that the Government is taking such steps as it can in the matter.

Babu Baljnath Bajoria: Sir, I have listened with great attention to the speech made by my Honourable friend, the Labour Member, but I must candidly confess that I have not been able to understand his logic, or the figures which he gave. His figures are quite at variance with the figures which the Honourable Commerce Member gave this morning. I do not know who

[Babu Baijnath Bajoria.]

is correct. (*An Honourable Member*: "Both are wrong!") Here the Labour Member says "We have not requisitioned 90 per cent. of the paper: we have only frozen it." What is the difference between the two. The mills can sell only if Government allows. Then how will it allow? I as a public man—how can I get the few reams of paper which I want? He has referred in his speech that paper is hoarded by merchants and you can go and buy from them. But how are we to get more than 10 per cent. from the paper mills? That is the question which I put to him. He has not answered that at all, he has kept discreetly silent on that matter.

Again, he has given lots of figures to prove that he has economised in the use of paper by various departments. As far as I have been able to follow, he said that during the first six months from April to October, Government C. S. demand was 34,000 tons and during the next six months, that is, from October to March, it will be 32,000 tons. That is all the economy he has made. Only 2,000 tons. That does not represent even ten per cent. He has said, we have cut down so much of this, so much of that and so on. He has cut down 400 tons, here, cut down 400 tons there, and then he has increased 1,000 tons in another department. I am giving his figures. In the next budget he proposes that it will be 70,000 tons. 34,000 tons and 32,000 tons is 66,000 tons, and he has increased that to 70,000 tons in the next year. That is reduction according to him! My Honourable friend says, 12,450 tons will be economised according to the figures which he has given and that will be available to the public along with the 5,000 tons which he has allowed under this order of 90 per cent. Let him be straightforward. He said that this 17,000 tons represents thirty three and one third per cent. of the paper production for six months. Let him withdraw this order of 90 per cent. then and make it 66 per cent. That will be straightforward business. Then we would have known where we stand. The public will have known where they stand, and how much they are going to get. My Honourable friend said that he has frozen the thing. For the first few weeks one will have to toss oneself about from pillar to post and they will break their heads on both. I am very sorry that the Honourable the Labour Member should have been so unsympathetic towards this motion. He has only said that the Government has done this, has done that and so on. This is all the economy. Their economy begins and ends with this (showing a small sheet of paper), whereas we get one foot long of envelope containing a six inches letter. What I would suggest is this. It will be fair if Government reduces this order to fifty-fifty, fifty for the Government and fifty for the public. The result of this 50 per cent. will be that the Government consumption will go up from 20,000 to 43,000 tons or an increase of 216 per cent. whereas the public will be getting, instead of 1,99,000 tons, 43,000 tons, or 21 per cent. My Honourable friend's speech has not given satisfaction to this side of the House. It is said that there is plenty of paper in Canada. That does not satisfy us. The Honourable the Commerce Member said this morning in reply to a question about newsprint, and I think that also applies to paper—his reply was absolutely vague and evasive. He said:

"For the shipment of newsprint from North America, the Government of India have accorded as high a priority as is consonant with the importance of this commodity."

The Honourable Mr. N. R. Sarker (Member for Commerce and Food): What was the question?

Babu Baijnath Bajoria: The question was this:

"Have newspaper interests represented to the Government that unless shipping facilities were afforded to them for the import of newsprint, they would have to go out of publication? What action do Government propose to take in this matter?"

You said in reply:

"For the shipment of newsprint from North America, the Government of India have accorded as high a priority as is consonant with the importance of this commodity in relation to other cargo offering for shipment."

In your opinion, the importance of this commodity is very low, the priority is very low.

The Honourable Mr. N. R. Sarker: It is not low.

Babu Baijnath Bajoria: You should have said, we have given a very high priority for paper. You have not said so. The whole point is this. Government must take the earliest steps for importing paper and newsprint from Canada and Government must give a very fair proportion, I suggest 50-50, that is, for themselves and for the public. Then Government must economise much more in their requirements than they have hitherto done.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

‘That the Assembly do now adjourn.’

The Assembly divided.

AYES—32.

Abdul Ghani, Maulvi Muhammad.
 Abdullah, Mr. H. M.
 Azhar Ali, Mr. Muhammad.
 Bajoria, Babu Baijnath.
 Banerjee, Dr. P. N.
 Chattopadhyaya, Mr. Amarendra Nath.
 Dam, Mr. Ananga Mohan.
 Deshmukh, Mr. Govind V.
 Essak Sait, Mr. H. A. Sathar H.
 Ghiasuddin, Mr. M.
 Ghuznavi, Sir Abdul Halim.
 Gray, Mr. B. L.
 Gwilt, Mr. E. L. C.
 Jehangir, Sir Cowasjee.
 Joshi, Mr. N. M.
 Kazmi, Qazi Muhammad Ahmad

Krishnamachari, Mr. T. T.
 Lalchand Navalrai, Mr.
 Lawson, Mr. C. P.
 Liaquat Ali Khan, Nawabzada Muhammad.
 Maitra, Pandit Lakshmi Kanta.
 Mehta, Mr. Jamnadas M.
 Miller, Mr. C. C.
 Murtuza Sahib Bahadur, Maulvi Syed.
 Neogy, Mr. K. C.
 Parma Nand, Bhai.
 Richardson, Sir Henry.
 Sant Singh, Sardar.
 Siddique Ali Khan, Nawab.
 Stokes, Mr. H. G.
 Yusuf Abdoola Haroon, Seth.
 Zafar Ali Khan, Maulana.

NOES—28.

Abdul Hamid, Khan Bahadur Sir.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Ambedkar, The Honourable Dr. B. R.
 Aney, The Honourable Mr. M. S.
 Benthall, The Honourable Sir Edward.
 Bewoor, Sir Gurnath.
 Daga, Seth Sunder Lall.
 Dalal, Dr. Sir Ratanji Dinshaw.
 Dalpat Singh, Sardar Bahadur Captain.
 Hardar, Khan Bahadur Shamsuddin.
 Imam, Mr. Satyid Haidar.
 Ismaiel Ali Khan, Kunwar Hajee.
 Jawahar Singh, Sardar Bahadur Sardar Sir.
 Kamaluddin Ahmad, Shamsul-Ulema.
 Maxwell, The Honourable Sir Reginald.

Mody, The Honourable Sir Homi.
 Noon, The Honourable Malik Sir Feroz Khan.
 Pillay, Mr. T. S.
 Raisman, The Honourable Sir Jeremy.
 Raper, Sir Hugh.
 Sarker, The Honourable Mr. N. R.
 Spear, Dr. T. G. P.
 Spence, Sir George.
 Sultan Ahmed, The Honourable Sir.
 Thakur Singh, Major.
 Trivedi, Mr. C. M.
 Tyson, Mr. J. D.
 Wakely, Mr. L. J. D.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 12th February, 1943.

LEGISLATIVE ASSEMBLY

Friday, 12th February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. Noel Victor Housman Symons, C.I.E., M.C., M.L.A., (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

FLOGGING PUNISHMENT FOR POLITICAL OFFENCES UNDER MARTIAL LAW IN SIND.

52. *Mr. Lalchand Navalrai: (a) Will the War Secretary be pleased to state if it is a fact that punishment of flogging with stripes is being awarded to respectable persons and young students of tender age charged with political offences in Sind area where Martial Law is proclaimed?

(b) Is it a fact that Martial Law in Sind was proclaimed avowedly for the suppression of Hur outrages?

(c) Will the Honourable Member be pleased to give the number of students and non-students, separately, who have been awarded this type of punishment since the proclamation of Martial Law, according to each district in Sind?

(d) Is it a fact that many amongst them had fainted during the infliction?

(e) Are Government aware of the enormous discontent and horror that this practice has caused among people of all shades of public opinion?

(f) Do Government propose to stop it?

Mr. C. M. Trivedi: (a) The punishment of whipping or caning has been awarded to a number of youths who have created or incited others to create disturbances within the Martial Law area. Whipping in accordance with Jail Rules has been awarded to a few such youths between the ages of 18 and 23 for acts of hooliganism. A number of youths between the ages of 12 and 18 have been punished by being lightly caned, as it was not considered desirable to award sentences of imprisonment to them. I may add that all persons were warned by Martial Law Regulation No. 41 that creating any form of disturbance for whatever cause would be considered a Martial Law offence and be punished as such.

(b) The Honourable Member is referred to the reply given by me to part (a) of starred question No. 124 on the 21st September, 1942.

(c) Statistics are not available to show what proportion of the youths whipped or caned were actual students but the majority were of student age.

(d) There was no case of fainting during infliction of either whipping or caning.

(e) No.

(f) Whipping is one of the forms of punishment provided under Martial Law Regulations and Government see no reason to interfere with the discretion of Martial Law Tribunals in this matter.

Mr. Lalchand Navalrai: May I ask if the intention was not to apply the Martial Law for civil offences? What was required by the public was that the Hur movement should also be met by Martial Law and is it not against that principle that the smaller children should be flogged?

Mr. C. M. Trivedi: No, Sir. I have already said that that Martial Law Regulation No. 41 lays down that creating any form of disturbance for whatever cause would be considered a Martial Law offence and be punished as such.

Mr. Lalchand Navalrai: Was it in connection with the Hur movement or not?

Mr. C. M. Trivedi: No, Sir; this Regulation was not promulgated in connection with the Hur movement.

Mr. Lalchand Navalrai: May I ask whether the Honourable Member knows that the public asked and the Martial Law was established only to checkmate the Hur movement?

Mr. C. M. Trivedi: I know that, but subsequently Regulation No. 41 was made.

Mr. Lalchand Navalrai: That is exactly what I want to know from the Honourable Member. Was this Regulation made with the intention which was consistent with the original intention or was it made with the further intention to apply it to the civil population as well?

Mr. C. M. Trivedi: If there are disturbances in a Martial Law area for any reason, that must hamper the military authorities in carrying out the object for which Martial Law was originally established.

Mr. Lalchand Navalrai: Am I to understand from the Honourable Member that the disturbances arose amongst the civil population and because of that it was considered that there should be Martial Law?

Mr. C. M. Trivedi: No. What I say is this that Martial Law was originally proclaimed for the suppression of Hur outrages. If any other forms of disturbances occur in the Martial Law area, those disturbances must hamper the Martial Law Administrator in the suppression of the Hur menace for which Martial Law was established. Regulation No. 41 lays down that creating any form of disturbance for whatever cause would be considered a Martial Law offence and be punished as such.

Mr. Lalchand Navalrai: May I know from the Honourable Member what were those civil disturbances that necessitated Regulation No. 41? Was it the Congress movement?

Mr. C. M. Trivedi: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

SILVER STOCK WITH THE RESERVE BANK OF INDIA AND SALE OF INDIAN SILVER IN LONDON.

53. *Mr. Lalchand Navalrai: (a) Will the Honourable the Finance Member be pleased to state what was the quantity of the silver in stock with the Reserve Bank of India at the time of the commencement of the present war?

(b) Is it a fact that on the 31st March, 1941, the surplus stock of silver amounted to 47 crore tolas?

(c) How much quantity of silver has been acquired by Government since the withdrawal of standard silver coins and how much has the silver stock with the Government of India been thus augmented uptil now?

(d) How much Indian silver has been sold out in London since the 31st March, 1941, and at what rate?

(e) What was the rate of silver in India and in the United States of America on the dates on which Indian silver was sold in London since the 31st March, 1941?

(f) Is there any agreement between the Government of India and the British Government with regard to the sale price of silver in London? If so, what and when it was made?

(g) Has the great rise in the rate of silver in India and in the United States of America any effect on the sale price of Indian silver in London? If so, how much? If not, what was the reason for the consequent loss to this country?

(h) What is the balance of silver in store with the Reserve Bank of India now?

The Honourable Sir Jeremy Raisman: (a), (b), (c) and (h). Information regarding the surplus silver stock of the Government of India is compiled so as to show the position at the end of each financial year and is published in the Central Appropriation Accounts (Civil), copies of which are supplied to Honourable Members. In conformity with their past practice in the matter the Government are not prepared to disclose their current stock position.

(d) to (g). I would invite the attention of the Honourable Member to the reply given to parts (a), (b) and (d) of Mr. K. C. Neogy's question No. 62 on the 16th September, 1942. I would also draw his attention to the statement which I made in this House on Wednesday last, in connection with the adjournment motion of which Mr. Sant Singh had given notice, to the effect that no sales had been made to His Majesty's Government since the beginning of the war at rates lower than the American acquisition rate for imported silver, and that since the rise in that rate on the 31st August last, His Majesty's Government have not approached the Government of India for any further sales to them.

Mr. Lalchand Navalrai: May I ask what was the necessity to sell the silver to the British Government when it was needed in this country?

The Honourable Sir Jeremy Raisman: His Majesty's Government have from time to time required silver for essential war purposes.

Sardar Sant Singh: Was any silver shipped to Great Britain after the declaration of the war from India?

The Honourable Sir Jeremy Raisman: Yes, Sir; there have been sales of silver to His Majesty's Government since the beginning of the war.

Sardar Sant Singh: May I know the reasons for keeping the stock of silver in Great Britain and not in India?

The Honourable Sir Jeremy Raisman: There were only small stocks in Great Britain and the main stocks have always been kept in India.

Sardar Sant Singh: May I know the reasons for shipping it to England?

The Honourable Sir Jeremy Raisman: I am afraid I do not understand the Honourable Member.

Sardar Sant Singh: I will try to explain. The question is that silver stocks should be kept in India ordinarily. May I know the reasons which led the Government of India to ship stocks of silver from India to England and for what purpose they were shipped to that country?

The Honourable Sir Jeremy Raisman: In normal times a certain amount of the Government of India stock of silver was kept in London where there is a regular market, and further shipments have only taken place in connection with the actual sales to His Majesty's Government for essential war purposes.

Mr. Lalchand Navalrai: What is the balance of the silver that is in England now? Is that also kept for the purposes of the war and is it to be used for the purposes of the war?

The Honourable Sir Jeremy Raisman: Apart from the stocks of silver which used to be in London in the ordinary way and which were there at the outbreak of the war, no stocks have been kept in London, but shipments have been made in connection with war purposes.

WORKING OF THE DEFENCE OF INDIA RULES.

54. *Mr. Lalchand Navalrai: (a) Will the Honourable the Defence Member be pleased to state if he has ever examined how the Defence of India Rules are being worked in practice in the Provinces in order to find out if the original intention of the Legislature by which the rule-making powers were given to the Government of India, is being carried out?

(b) If not, is the Honourable Member prepared to make inquiries and place the report on the table? If not, why not?

(c) What steps do Government propose to take to instruct the Provincial Governments to make only necessary and cautious use of these rules for the efficient prosecution of War?

The Honourable Malik Sir Feroz Khan Noon: (a) and (c). The attention of the Honourable Member is invited to the reply given to parts (b) and (c) of question No. 216 asked by Sardar Sant Singh on the 21st November, 1940.

(b) In the circumstances explained in that reply, the Government of India do not think that any useful purpose would be served by making enquiries.

Mr. Lalchand Navalrai: Does the Honourable Member know, at any rate, this much that the Defence of India Rules are not being used properly in the Provinces and that they are being applied for every purpose?

Mr. President (The Honourable Sir Abdur Rahim): That is matter of opinion.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether the Defence of India Rules are being applied even in the case of those persons who are asked to leave a certain place and they go away from that place?

The Honourable Malik Sir Feroz Khan Noon: If the rules provide for a certain kind of action and if that action is taken, I think, it is within the law.

Mr. Lalchand Navalrai: Is the Honourable Member prepared to consult certain representative members of the public as to whether these rules are being used indiscriminately or not?

The Honourable Malik Sir Feroz Khan Noon: When the Legislature has passed a law whether it is an enactment or whether by way of Rules made thereunder you have to leave it to the Provinces and the public representatives to administer it and you cannot forthwith proceed to appoint a Committee to find out how that law is being worked. You have many laws: you will want a committee to be appointed on the Indian Penal Code, the Criminal Procedure Code. That is rather a lengthy procedure and waste of time. But if there is any definite act, which the Honourable Member has in view and he thinks that he is justified in bringing it to the notice of the Government, where injustice has been done, he can do so.

Mr. Lalchand Navalrai: If there is one particular instance, but there are several instances. In that case what is remedy?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is arguing now.

Sardar Sant Singh: Is the Honourable Member aware that the Defence of India Rules were made under the Defence of India Act and under section 2 of that Act, if I am not mistaken, they were mainly to apply for the purposes of war effort?

The Honourable Malik Sir Feroz Khan Noon: I think the Honourable Member's memory since the law was passed has become a bit hazy. Apart from the efficient prosecution of the war the Act covers many other things. No rule has been framed which goes beyond the law as sanctioned by this Assembly.

Sardar Sant Singh: It is a question of application of rules for purposes other than the war efforts. May I ask the Honourable Member if he is aware that in his own District—Sargodha—the Defence of India Rules were thought to realise. . . .

Mr. President (The Honourable Sir Abdur Rahim): These are all provincial matters. It is impossible to go into those details.

Babu Baijnath Bajoria: Is the Honourable Member aware that the Defence of India Rules have superseded the Indian Penal Code and the Code of Criminal Procedure in practice.

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of opinion.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member aware that even for the restoration-of conjugal rights the Defence of India Rules have been applied?

The Honourable Malik Sir Feroz Khan Noon: The laws have in many cases become more effective.

SHORTAGE OF SMALL COINS.

55. *Mr. Lalchand Navarai: (a) Will the Honourable the Finance Member be pleased to state if he is aware that the shortage of coins of smaller denominations is causing immense inconvenience to all people in India in their daily transactions?

(b) If so, what is the cause of the shortage and what measures do Government propose to take to meet the situation and to remove the inconvenience?

(c) Is it a fact that Government have withdrawn from circulation silver and copper coins of old mintage? If so, which and why?

The Honourable Sir Jeremy Raisman: (a) Yes.

(b) I would refer the Honourable Member to my reply to the debate on the 10th February, 1943 on Babu Baijnath Bajoria's adjournment motion on the shortage of small coin.

(c) In the ordinary course all defaced or worn out coin are withdrawn from circulation to maintain the purity of the currency. If by the withdrawal of silver coins, the Honourable Member refers to the demonetisation of standard silver rupees and half-rupees, his attention is invited to the Finance Department Press Communique, dated the 16th November, 1942. No other coins have been demonetised.

In this connection I should like to correct a misunderstanding which has arisen in relation to the press reports of an observation made by me in the course of the debate to which I have referred in my reply to part (b) of this question. It is not correct that Government are withdrawing the old bronze pice and melting them down either for new coinage or for any other purpose. Such bronze coin as is returned and is serviceable is put back at once into circulation and it is contemplated that the two types of pice will remain in circulation together.

PRESS COMMUNIQUE

GOVERNMENT OF INDIA AND SILVER.

SILVER RUPEE POLICY REVIEWED.

WARNING TO HOARDERS OF STANDARD SILVER RUPEE

NEW QUATERNARY RUPEE CONTINUES TO BE FULL LEGAL TENDER

Though Queen Victoria and King Edward VII rupees and half rupees were called in with effect from April 1, 1941, and June, 1, 1942, respectively, they have continued to be legal tender at the offices of the Issue Department of the Reserve Bank of India at Bombay and Calcutta in the case of the former and at Bombay, Calcutta and Madras in the case of the latter. To-day a notification issued by the Finance Department terminates the legal tender character of such coins even at the offices of the Reserve Bank of India with effect from May, 1, 1943.

A second notification provides that George V. and George VI standard silver rupees which have been called in before May, 1, 1943, shall cease to be legal tender even at the offices of the Reserve Bank of India, from November, 1, 1943, the date from which it has already been notified they will cease to be legal tender at Government Treasuries, Post Offices and Railway Offices.

Both notifications, however, provide for the acceptance of such coin by the Reserve Bank of India in its discretion after these dates at such of its offices as it may select in cases where the holder of such coins proves to the satisfaction of the Bank that he was prevented from presenting them before the prescribed dates by circumstances beyond his control.

EARLY HISTORY :

MINTS CLOSED TO FREE COINAGE.

These notifications mark the culmination of the policy which had its origin more than fifty years ago when the world-wide abandonment of silver as a concurrent currency metal with gold compelled the Government of India to close their Mints to the free coining of silver and to convert the rupee which had previously been a full value silver coin into a token.

The maintenance of such a high silver content as eleven-twelfths has, however, created continued complications. Silver, besides lending itself comparatively easily to counterfeiting has other disadvantages in its pure or nearly pure form as a material for coinage. It was in the first place unduly expensive and the market for its purchase and sale was restricted so that it was difficult and expensive to buy when the Government of India needed it and almost unsaleable when the Government had surplus stocks. For those reasons too it was exposed to unduly speculative influences which often had awkward repercussions on other Indian commodity markets.

SILVER CAREFULLY NURSED.

If, however, the Government of India had attempted to discard it too quickly, they would not only have injured their own finances, as a large amount of their funds had been locked up in the purchase of the metal for coinage but, what is more important, would have injured those in this country, largely belonging to the poorer classes, who had invested in this metal in the past at a time when its free exchangeability with the rupee had given it an artificial value and when the lack of investment facilities particularly in rural areas had narrowed their other possibilities of saving. For this reason, silver has had to be carefully nursed by the Government of India over the last 15 years, since sales were first initiated.

WAR REACTS FAVOURABLY ON SILVER PRICES.

With the rise in the price of silver due to the war, however, these difficulties have been removed. The local price of silver has now reached a level at which the metallic content of the standard silver rupee is practically the same as its nominal value, and the holder of silver in bullion form has ample facilities to sell it at levels which are not likely to recur and which are certainly high enough to free the Government of India from any responsibility for the future of the metal if he should elect not to take advantage of them now. The Government of India see no reason why those who choose to hoard silver in its coined form should be given an indefinite option either to retain it to the Mint at its full nominal value or to melt and sell it as bullion.

WARNING TO HOARDERS OF STANDARD SILVER COIN.

The time prescribed for the compulsory return is in each case ample and the facilities for exchange at the places appointed for receipt are more than adequate provided that timely advantage is taken of them. If, however, as has happened in several instances in the past, holders, prefer to wait until the last moment before tendering their coin, they are warned that they run the risk of being shut out. The officers-in-charge of receiving treasuries have been informed that in the event of a last minute rush they should give preference to those who in their view have been prevented from applying earlier for reasons beyond their control.

Holders of standard silver coin are therefore strongly recommended in their own interest to take them as soon as possible to the nearest convenient treasury or other receiving office. In the case of large holders, to avoid risk of delay and inconvenience, it would be advisable that they should inform the officer-in-charge of the amounts they have, so that mutually convenient arrangements may be made for their examination.

Those who do not take advantage of this extensive period of notice will only have themselves to thank if they find themselves saddled after the war with silver either in the form of uncurrent standard rupee coin or bullion which they are only able to sell at a heavy loss.

POSITION OF NEW QUATERNARY RUPEE UNAFFECTED.

Finally, it should be emphasised that though the Government of India are finally terminating their liabilities in respect of the standard silver rupee, this does not affect the usefulness of silver in combination with other metals as a material for coinage and that the new quaternary rupee, with its 50 per cent content of silver and its security edge, is entirely unaffected by these notifications and continues to be full legal tender. These notifications only apply to standard silver coins of the Queen Victoria, King Edward and George V issues and the comparatively small issue of George VI coin which was issued with the milled and not the security edge.

Mr. Lalchand Navalrai: May I know when this new pice will come into force?

The Honourable Sir Jeremy Raisman: Sir, it has already been issued since the 1st February.

Mr. Lalchand Navalrai: Whether it has been issued all over India or only in Delhi?

The Honourable Sir Jeremy Raisman: It is being issued from main centres and it always takes some time to pervade the whole country.

Maulana Zafar Ali Khan: May I know whether the Post Office in the Assembly Building has been furnished with these new pieces, because just now I am coming from there—I wanted to buy post-cards—and I was told that there was no small coin?

The Honourable Sir Jeremy Raisman: I cannot tell whether they have reached a particular post office.

Babu Baijnath Bajoria: May I know the value of silver coins—rupee and half rupee—which have been withdrawn?

The Honourable Sir Jeremy Raisman: I am sorry I have not got that information. I cannot give it.

WAR SITUATION ON INDIAN BORDERS.

56. *Mr. Lalchand Navalrai: (a) Will the War Secretary be pleased to make a full statement on the War situation on the eastern and southern borders of India?

(b) Have there been any naval, aerial and land attacks by the Japanese on the borders of India? If so, at what places and how were they counteracted?

(c) How many attacks have been made by the Japanese in Assam, Midnapore, Chittagong, Orissa and Calcutta during the last six months, and with what consequences?

(d) Have Government made arrangements to intercept the Japanese air force from extending to areas beyond Calcutta? If so, what is the nature and extent of the same?

(e) What arrangements have Government made for the evacuees from areas under Japanese attacks including Calcutta?

Mr. C. M. Trivedi: (a) The defensive policy on the eastern border of India, which was necessary during the time when the Burma Army had to be re-organised and re-equipped following its withdrawal, has now given place to one in which the Armed forces in India are only waiting for the most suitable moment to take the offensive. During the summer of last year there was every possibility that the Japanese would follow up our withdrawal by attempting to invade northern Assam and our forces were disposed to meet not only this threatened land invasion but also the possibility of a sea-borne attack either in Bengal or on the coast of eastern and southern India.

The eastern frontier may be considered in two parts; the Assam-Burma border and the frontiers of eastern Bengal. In the former, there has been, as yet, no major encounter with the enemy and activity has been confined to patrolling by both sides. The situation is, however, very satisfactory, the morale of the troops is high and we may be confident of the results of any action with the enemy.

On the Bengal frontier we have made an advance down the Arakan coast which has removed the immediate land threat to the Bengal frontier and has carried our pressure against the enemy's forward troops into Japanese occupied territory. There is little which I can add to the reports which have been published in the Press except to say that owing to maintenance difficulties in a country largely devoid of roads suitable for military transport, operations have necessarily been slow. The morale of the troops in this area also is very high and good relations prevail with the civil population who have given our troops much assistance. The Royal Indian Navy has played its part in the Arakan operations in support of our military forces. In the air, our

forces and those of our American allies are being steadily augmented with modern types of aircraft, and bomber formations are regularly attacking military objectives in areas occupied by the enemy while other aircraft carry out fighter sweeps and escort duties. The results of these air operations have been most satisfactory.

In southern India, energetic preparations for defence still continue; but although the threat of sea-borne invasion has not entirely disappeared, Allied naval successes in the south-west Pacific have considerably reduced the possibility of such attacks and our forces are fully sufficient to deal with any attack which could possibly develop.

(b) and (c) There have been no naval or land attacks on the frontier of India. Enemy air forces have, however, attacked certain areas in eastern India. Chittagong district has been raided ten times and on the whole damage has been slight. There have been five attacks in Fenny area which have caused negligible damage. On three occasions in October 1942, aerodromes used by American forces were bombed. Calcutta has been raided seven times and full reports of these raids have appeared in the Press. Apart from this, there have been no other air raids on India during the last six months.

(d) I am afraid, that it is not possible for me to give details of defence arrangements since these details might assist the enemy in planning further attacks. The Honourable Member may however rest assured that adequate precautions have been taken and that full use is being made of modern equipment. Our defences are capable of dealing with any scale of attack which the enemy is likely to deliver. It is, of course, impossible to guarantee interception of enemy aircraft but the recent successes of our night fighters over the Calcutta area have provided impressive evidence of what the enemy is up against in any attempt to penetrate far into Indian territory.

(e) This part of the question should have been addressed to the Secretary, Civil Defence Department.

Mr. Lalchand Navalrai: With regard to part (c), may I know how many Japanese aeroplanes were brought down in Chittagong, in Calcutta and in Assam?

Mr. O. M. Trivedi: I have not got details with me at present.

Mr. Lalchand Navalrai: May I know if the Honourable Member has got definite information about the number of attacks by air made by the Japanese in Calcutta, Chittagong and Assam and can the Honourable Member, instead of vaguely saying there has been some slight damage and some casualties, give the actual number of lives lost and the amount of damage done?

Mr. O. M. Trivedi: There is a question later on which will be answered by the Civil Defence Department and which will contain the information which the Honourable Member wants.

Mr. President (The Honourable Sir Abdur Rahim): With reference to this question and the answer which has been given by the Government Member, I wish to point out that the ordinary object of interpellation is to elicit information on definite matter of public interest and not comprehensive discussion of a subject like the war situation. It is a well established rule of the House that during question time, a lengthy statement on any subject of this nature just read out should be avoided. I would suggest to the House and particularly to the Government Members that as regards the war situation, the Government may consider whether it is not desirable to make a full statement from time to time. The Honourable Member who is responsible for Defence might take the House into confidence as to the progress of the war so far as it affects this country to the extent that is considered expedient.

Babu Batjnath Bajoria: What steps have been taken.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member had better leave this question alone now. Honourable Members cannot take up the whole time of the House on one question.

Maulana Zafar Ali Khan: One short question as regards the danger of Japanese invasion?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Government Member has made a very full statement. I am sure it is not possible for any Honourable Member to remember all the points covered in the reply and put any more useful supplementary questions. Next question.

FIRE-FIGHTING EXPERTS IMPORTED FROM BRITAIN.

57. *Mr. K. O. Neogy: (a) Will the Honourable Member for Civil Defence be pleased to state what are the conditions of service and terms of remuneration arranged for the fire-fighting experts who have been recently imported from Britain?

(b) Is it the policy of Government to get these experts employed in factories, and is it a fact that in many cases the factory owners have shown unwillingness to entertain these experts on the terms put forward? How many such experts have come out, and where are they employed?

Mr. N. V. H. Symons: (a) A statement is laid on the table.

(b) 228 fire-fighting experts have come out. A statement showing where they are employed is laid on the table.

(c) No factory owner has brought to Government's notice any unwillingness on his part to employ these experts on the terms put forward.

Conditions of Appointment.

1. In these Conditions :

(A) "Government" means the Governor-General of India in Council.

(B) "Employee" means the person whose signature appears above.

2. The Employee shall be provided with an allowance of Twenty-five pounds (£25) in the case of a Fire Officer and Fifteen pounds (£15) in the case of a Sub-Officer Grade I or Grade II towards the cost of outfit (not including uniform) for his use in India and with a passage either by air or sea to India and with transit from the place of arrival in India to the place where he is required to report for duty and on being provided with such passage he shall proceed within such time and by such means as may be prescribed by or on behalf of the Government. The Employee shall be provided in India with a uniform.

3. The Employee shall on arrival in India forthwith report himself for duty without avoidable delay as directed by the officers of the Government and shall submit himself to the orders of the Government and of the Government of the Province to which he may from time to time be posted by the Government and of the officers and authorities under whom he may from time to time be placed by the Government or by the said Provincial Government.

4. The term during which the Employee shall remain in the service shall be a period from the date of his departure for India to one year after his arrival in India provided that during the continuance of the present war the said term may be extended at the option of the Government for further terms of six months at a time if whenever the Government exercise such option they give three calendar months' previous notice in writing.

5. (1) If the Employee is stated in the Application written above these Conditions to be professional or police fireman the Government will make such arrangements regarding the payment of a contribution to the Local Authority or Authorities administering the appropriate pension provision in his case as may be permissible to ensure that his contingent superannuation benefits under the said provision shall not cease during his service under this agreement.

(2) If the Employee is not stated in the said Application to be such a professional or police fireman then upon termination of his service to the satisfaction of the Government the Employee shall be paid a gratuity equivalent to one month's pay in respect of each year of service.

6. The Employee shall devote his whole time to his duties and at all times obey the rules prescribed for the time being for the regulation of the branch of the public service to which he may belong including the Government Servants' Conduct Rules and shall whenever required proceed to any part of India and there perform such duties as may be assigned to him.

7. If the Employee fails to proceed to India or to join his appointment there as ordered or if he at any time during the first year of his service voluntarily quits the service without the permission of the Government he shall forthwith on demand repay to the Government the sums expended by the Government under Condition 2 hereof in respect of the allowance the passage and the transit in India.

8. The service of the Employee may be terminated as follows :—

(1) At any time on three calendar months' notice in writing given to him by or on behalf of the Government if in the opinion of the Government the Employee proves unsuitable for the efficient performance of his duties during service under this Agreement.

(2) By or on behalf of the Government without previous notice if the Government is satisfied on medical evidence that the Employee is unfit and a likely for a considerable period to continue unfit by reason of ill-health for the discharge of his duties in India. Provided always that the decision of the Government that the Employee is likely to continue unfit shall be conclusively binding on the Employee.

(3) By the Government or their officers having proper authority without any previous notice if the Employee shall be guilty of any insubordination, intemperance or other misconduct or of any breach or non-performance of any of these Conditions.

(4) By three calendar months' notice in writing given at any time during service under this Agreement (except during the first year thereof) either by him to the Government or by the Government or their authorised officer to him without cause assigned.

The Government may in lieu of any such notice aforesaid give the Employee a sum equivalent to the amount of his pay for three months or shorter notice than three months if they pay him a sum equal to the amount of his pay for the period by which such notice falls short of three months.

9. If the Employee be suspended from duty during investigation into any charge which if substantiated would permit the termination of his service under Condition 8 (3) hereof he shall not be entitled to any pay during such period of suspension but shall be entitled to receive a subsistence grant at such rate as the Government may decide to allow him.

10. (1) The pay which the Employee shall receive shall be as follows :

(A) If the Employee is appointed as a Fire Officer, Rs. 800 per month.

(B) If the Employee is appointed as a Sub-Officer, Grade I Rs. 600 per month.

(C) If the Employee is appointed as a Sub-Officer, Grade II Rs. 500 per month.

Provided that if the Employee proceeds on deputation out of India his pay during the period of his deputation shall be regulated by the ordinary rules regarding deputation.

(2) The pay shall be payable monthly in India from the date of his departure for India during the term of the Employee's service specified in Condition 4.

(3) If the Employee is appointed as a Sub-Officer, Grade I or Grade II, he shall be provided with free quarters or an allowance in lieu thereof.

11. If the Employee is appointed a Fire Officer and if he is unable to provide himself with quarters or is unable to provide himself with quarters except at a cost in excess of 10 per cent. of his said pay the Government shall at his request provide him with quarters suitable for him in the opinion of the Government and he shall pay to the Government for such quarters a rent not exceeding 10 per cent. of his said pay.

12. The Employee shall not be entitled to pension or gratuity or bonus on retirement or to any allowances except as expressly stated in these Conditions nor shall he be entitled to subscribe to a Provident Fund.

13. The Employee shall be eligible for leave in accordance with the provisions of the Model Leave Terms as amended from time to time as applicable to his case. His service for leave shall commence from the date of his first reporting for duty in India and such leave shall not be claimed as a matter of right but shall be given or refused at the discretion of the Government.

14. If the Employee is required to travel in the interests of public service he shall be entitled to travelling allowance on the scale provided for in the rules supplementary to the Fundamental Rules for the time being in force and applicable to his case.

15. The Employee shall be eligible for any concessions in relation to medical attendance and treatment that may be prescribed by the Government for the class of officers serving in the same station to which the Government may declare the Employee to correspond.

16. In any payments made to the Employee in the United Kingdom the rate of exchange then applicable to the class of transaction concerned as decided by the Secretary of State from time to time shall be observed.

17. The proceedings letters and report of the Governor-General of India in Council or of any of the Provincial Governments and of his or their officers and agents or any copies thereof or extracts therefrom which shall be sent officially to the Secretary of State or to the High Commissioner for India or to their officers or servants or to any person in the Indian Service of His Majesty in England or elsewhere in any way relating to the sums of money to be paid or allowed to the Employee or to his conduct or in any way relating to the premises shall be received as evidence of any matter therein contained in any action or in any legal proceedings by or between the Government and the Employee or in any way relating thereto but without prejudice to any claim of privilege.

18. The Government shall provide the Employee, with a passage to England by sea including transit from his station in India to the port of embarkation—

(A) on the completion by the Employee of his term of service specified in condition 4. or

(B) on his being allowed to proceed on leave preparatory to the termination of his service. or

(C) on the termination of his service under sub-clauses (1) (2) or (4) of condition 8 hereof :

Provided :

- (i) that he claims such passage and leaves India in accordance with any direction given by the Government on the completion of his service or on the commencement of his leave or on the termination of his service, and
- (ii) that if his service is terminated on account of ill-health such ill-health has not been brought on by his neglect or carelessness or misconduct (of which the certificate of a medical officer nominated by the Government shall be conclusive).

19. (1) In respect of a war service injury sustained during the Employee's service in India or of a war injury sustained during the Employee's voyage to India during his service in India under this agreement or during his voyage from India if the Government shall have provided him with his passage under Condition 18 the Employee (or in the event of his death through such an injury his widow children or other dependants) shall be entitled to receive from the Government such pension allowances and benefits as though the Personal Injuries (Civilians) Scheme made under the Personal Injuries (Emergency Provisions) Act 1939, in force at the date of the Employee's leaving for India applied to him. The Government may apply any amendment duly made to such scheme or apply any scheme substituted directly or indirectly for such scheme.

(2) For the purpose of the application of such Scheme (A), the Employee shall be deemed to be a civil defence volunteer and the Government a civil defence organisation and (B) the Government shall be deemed to be the Minister but the Government may authorise any person or persons to perform the functions of the Minister.

20. If during his term of service specified in Condition 4 the Employee becomes or continues to be insured as a voluntary contributor under the National Health Insurance Acts and the Widows' Orphans' and Old Age Contributory Pensions Acts for the time being in force the Government shall pay one-half of the contributions payable by him as such contributor and in that event he shall authorise the Government to pay in the United Kingdom on his behalf the balance of such contributions and the surrender by the Government at the appropriate time of the duly stamped contribution cards to his Approved Society or to the appropriate Insurance Department shall be a sufficient discharge in respect of any liability incurred by the Government under this Condition.

21. Notwithstanding anything hereinbefore contained the pay and leave salary of the Employee whether payable in India or elsewhere shall be subject to any emergency cut that may be ordered by the Government for the same period and on the same terms as for other officers under the administrative control of the Government.

22. All acts authorised or required to be done by the Government may be done in the United Kingdom by the High Commissioner for India acting on their behalf.

Statement showing the Places where Fire Officers and Sub-Officers are employed.

Serial No.	Posted to.	Fire Officers.	Sub-Fire officers, Grade I.	Sub-Fire officers, Grade II.
<i>Provinces.</i>				
1	Madras	2	3	53
2	Bengal	5	4	30
3	Bihar	1	..	8
4	Bombay . . . . .	..	2	3
5	Punjab	1	1	..
6	U. P.	1	..	5
7	C. P.	1	1	1
8	Assam . . . . .	..	4	..
9	Delhi	1	1	9
10	Baluchistan	1	..	..

Labour Department and Factories.

11	Organisation of the Chief Adviser, Factory A. R. P., Labour Department, Delhi . . . . .	..	1	..
12	Organisation of the Chief Adviser, Factory A. R. P., Labour Department, Calcutta . . . . .	..	..	1
13	Organisation of the Chief Adviser, Factory A. R. P., Labour Department, Madras . . . . .	..	..	1
14	Organisation of the Chief Adviser, Factory A. R. P., Labour Department, Bombay . . . . .	..	..	1
15	Central Government Buildings, Calcutta . . . . .	..	..	1
16	Rifle Factory, Ishapore . . . . .	..	..	1
17	M. S. Factory, Ishapore . . . . .	..	..	1
18	G. S. Factory, Cossipore . . . . .	..	..	1
19	G. C. Factory, Jubbulpore . . . . .	..	..	1
20	H. and S. Factory, Cawnpore . . . . .	..	..	1
21	H. E. Factory, Kirkee . . . . .	..	..	1
22	Ammunition Factory, Kirkee . . . . .	..	..	1

Serial
No.

Posted to.

Fire
Officers.Sub-Fire
officers,
Grade I.Sub-Fire
officers,
Grade II.*Labour Department and Factories.—contd.*

23	Ordinance Factory, Dohad . . . . .	..	1	..
24	Ordinance Factory, Khamaria . . . . .	..	..	1
25	Cordite Factory, Arvankadu . . . . .	..	..	1
26	Burmah Shell, Madras . . . . .	..	..	1
27	Burmah Shell, Cochin . . . . .	..	..	1
28	Burmah Shell, Bombay . . . . .	..	..	1
29	Burmah Shell, Karachi . . . . .	..	..	1
30	Employers' Association of Northern India, Cawnpore . . . . .	..	1	..
31	Bombay Millowners' Association Bombay . . . . .	..	..	2
32	Indian Jute Mills Association, Calcutta . . . . .	..	..	1
33	Indian Iron and Steel Co. Ltd., Burnpore, Asansol . . . . .	..	..	1
34	Titaghur Paper Mills, Calcutta . . . . .	..	1	1
35	Madura Mills, Madura . . . . .	..	..	2
36	Buckingham and Carnatic Mills, Madura . . . . .	..	1	..
37	E. D. Sassoon & Co., Bombay . . . . .	..	..	1
38	Attock Oil Co., Rawalpindi . . . . .	..	..	1
39	Assam oil Co., Digboi	1	..	..
40	Mathematical Instruments Office, Calcutta . . . . .	..	..	1

Railways.

41	Bengal and Assam Railway . . . . .	..	..	6
42	Bengal and Nagpur Railway . . . . .	..	..	2
43	B. B. & C. I. Railway . . . . .	..	..	4
44	East Indian Railway . . . . .	..	..	3
45	G. I. P. Railway . . . . .	..	..	2
46	North Western Railway . . . . .	..	1	3
47	M. & S. M. Railway . . . . .	..	..	2
48	South Indian Railway . . . . .	..	..	1

Government of India Secretariat.

49	Civil Defence Department	4	..	2
----	------------------------------------	---	----	---

Civil & Military Station.

50	Bangalore	1	..
----	---------------------	----	---	----

Naval Dockyards

51	H. M. I. Dockyard, Bombay . . . . .	..	1	3
52	H. M. Dock yard, Colombo . . . . .	..	..	4

Ports.

53	Calcutta Port Trust	1	..	..
54	Karachi Port Trust	1	3	..
55	Cochin Harbour . . . . .	..	1	..
56	Ceylon Government . . . . .	..	..	2

Indian States.

57	Hyderabad Deccan	1	..	2
58	Baroda State . . . . .	..	..	1

Miscellaneous.

59	Returned to England	1
----	-------------------------------	---	----	----

Total	19	28	181
-----------------	----	----	-----

Pandit Lakshmi Kanta Maitra: Where did these experts receive training?
In foreign countries?

Mr. N. V. H. Symons: They are all either professional firemen or temporary National Service firemen who have been trained in the United Kingdom and they have all had blitz experience in London, Manchester, Birmingham and other big cities which have suffered heavy air attacks.

Pandit Lakshmi Kanta Maitra: So these experts were all imported from abroad?

Mr. N. V. H. Symons: Yes.

Pandit Lakshmi Kanta Maitra: Have any efforts been made for getting Indians trained in this fire-fighting work?

Mr. N. V. H. Symons: These fire-fighting experts are all doing most valuable work in training Indians.

SHORTAGE OF SMALL COINS.

58. *Mr. K. C. Neogy: (a) Will the Honourable the Finance Member be pleased to state whether Government recognise that there is a serious shortage of small coins throughout the country especially the pice coins?

(b) Is hoarding alone in the main responsible for this shortage?

(c) What is the exact number of pice coins minted every month?

(d) What types of coin do Government mean by the term "small coin" used in their communique of the 27th November, 1942?

(e) As has been alleged by a section of the Press is it a fact that copper intended for the minting of pice has been diverted for the use of the Defence Department for munition production?

(f) Even though the communique had stated that Government are taking steps to increase their minting capacity, has the Reserve Bank of India informed the Bengal National Chamber of Commerce in reply to a letter from the Chamber, that the production of pice coins has been curtailed and that the public are expected to devise methods of payment whereby the use of one pice coins may be eliminated?

(g) Has the Reserve Bank further advised the Chamber to emulate the example of the Calcutta Tramways Company which has issued coupons as substitute for one pice coins?

(h) Are Government aware that the practice of issuing coupons as substitutes for pice coins has been adopted by several private persons and firms? Is it the policy of Government to encourage an extension of this practice?

(i) Have coins of smaller denominations been minted in India of late, for Australia or any other country? If so, will the Honourable Member be pleased to state all particulars of these transactions?

The Honourable Sir Jeremy Raisman: (a) Yes.

(b) Yes.

(c) The present output is ten million pieces a month. This will be augmented when the position in regard to small coin of higher denominations has been restored. In addition 30 million 2-pice pieces are being minted every month.

(d) All subsidiary coin from eight annas downwards, except where otherwise stated.

(e) No.

(f) Yes. The Reserve Bank of India suggested this course as an interim expedient to enable the productive capacity of the Mints to be utilised to the best advantage in meeting the increased demand for small coin generally.

(g) The Reserve Bank suggested that the example set by the Bombay Electric Supply and Tramways Co., and followed by the Calcutta Tramways Co., might be copied by other Companies and Firms.

(h) The answer to the first part of this question is in the affirmative. As regards the second part, until the position can be restored such expedients will be unavoidable.

(i) As I mentioned last Wednesday in the course of the adjournment motion debate on the small coin position, in accordance with Government's policy of utilising to the full their available resources to further the cause of the Allied Nations, certain foreign orders were in the past undertaken from time to time mainly for the Middle-East. Some of these orders included coin of smaller denomination.

The only order executed for Australia, consisting of nine million bronze pennies and six million bronze half-pennies, was undertaken as long ago as December 1941.

No foreign orders have been accepted since the small coin shortage became manifest in India and the rate of execution of outstanding commitments was slowed down at once to a minimum and now represents less than one per cent. of our minting capacity.

These transactions were all carried out at a reasonable profit to Government.

Pandit Lakshmi Kanta Maitra: With regard to part (h), may I know if it is the policy of the Government to encourage an extension of the practice of issue of coupons by private companies? What is the definite policy of the Government in this respect?

The Honourable Sir Jeremy Raisman: My answer was that until the position can be restored such expedients will be unavoidable. I must point out that although coupons of this kind are not legal tender in the sense that people can be compelled to accept them in satisfaction of their demand, there is no reason why in an abnormal situation like the present commonsense local arrangement should not be made.

Pandit Lakshmi Kanta Maitra: Do I take it that the suggestion, as explained by the Honourable Member with regard to part (g) of the question, of the Reserve Bank regarding the issue of these coupons, emanated from the Reserve Bank at the instance of the Government of India?

The Honourable Sir Jeremy Raisman: No, Sir. It was not at the instance of the Government of India, but I should have no difficulty in endorsing their attitude.

Babu Baijnath Bajoria: Will the Honourable Member enquire as to what happens to the large number of small coins which are deposited in the railway stations and the post offices and how these coins are disposed of?

The Honourable Sir Jeremy Raisman: I must point out to the Honourable Member that he is under a grave misapprehension if he thinks that the result of transactions which take place at railway stations and post offices is an inflow of small coins to Government. There is never a net inflow. In normal times these places have to be provided every day with a certain amount of small coin because the net result of their transactions is an out-go. It is because the two way traffic, which I mentioned the other day as being the basis of all normal small coin circulation, it is because that has been destroyed that there is such a small amount of coin available even at places like railway stations and post offices?

Pandit Lakshmi Kanta Maitra: With regard to part (i), may I enquire of the Honourable Member who supplied the metal for minting of small coins for Australia and other countries?

The Honourable Sir Jeremy Raisman: The metal was supplied by us. There was no difficulty about metal and, as I have mentioned in this House, we have the metal for a large small-coin programme as long as our capacity will enable us to carry it out.

Mr. H. A. Sathar H. Essak Saif: With regard to part (g), will the Honourable Member consider the advisability of authorizing the Railways to issue such coupons until normal conditions prevail?

The Honourable Sir Jeremy Raisman: I would like to have time to think over that suggestion.

PROVISION OF BROTHELS FOR FIGHTING FORCES IN CALCUTTA.

59. *Mr. K. C. Neogy: (a) Will the War Secretary be pleased to state whether the attention of Government has been drawn to certain comments published recently in the *Calcutta Diocesan Record* and the *Guardian*, a Christian Weekly of Madras, relating to the provision of brothels for the fighting forces in Calcutta in the very heart of the residential areas?

(b) Is it a fact that even respectable people of the localities concerned were asked to turn out of their houses by the authorities in order to make way for brothels, and that residents have been visited by the police accompanied by prostitutes and told that their homes were required for brothels for the military.

(c) Is it a fact that the Metropolitan of India has interested himself in the matter and is making an effort to stop these proceedings? If so, with what result?

(d) What is the general policy of Government in regard to the provision of brothels for the troops in India, and at which centres at present have brothels been provided with the active or passive assistance, approval or knowledge of the military authorities?

(e) What is the policy or practice in such matters in Great Britain, Canada, Australia, South Africa and the United States of America, separately?

Mr. C. M. Trivedi: (a) Yes. I may add that following a strong remonstrance on the part of the Military Authorities the allegations made against those authorities in the November issue of the *Calcutta Diocesan Record* were substantially withdrawn in an article in the December issue.

(b) The Government of India have been informed as follows by the Provincial Government:

"With the arrival of large numbers of troops, brothels sprang up in various localities in Calcutta. Numbers of these were at once closed down, but some, started in the vicinity of existing brothels, were allowed for a time to remain; but there was no question of turning residents out of their houses to make way for such establishments nor was any action with that object taken; and on receipt of various complaints including complaints from the Metropolitan of India these were also closed down. No brothels for the troops have been provided by the authorities."

(c) The Honourable Member is referred to the answers to parts (a) and (b)

(d) It is no part of the policy of the Civil or the Military authorities to provide brothels for troops or to assist in such provision.

(e) The Government of India have no information.

Mr. K. C. Neogy: Sir, with regard to the Honourable Member's reference to certain complaints made by the Metropolitan of India, will the Honourable Member be pleased to give us a gist of the complaints made by the Metropolitan?

Mr. C. M. Trivedi: It is a very long article.

Mr. K. C. Neogy: Give us only a gist of that article . . .

Mr. President (The Honourable Sir Abdur Rahim): It can be laid on the table if you like.

Mr. C. M. Trivedi: I will lay it on the table of the House.

Babu Bajjnath Bajoria: Did these brothels spring up under Government patronage?

Mr. C. M. Trivedi: No, Sir.

MINTING OF SMALL COINS FOR AUSTRALIA.

60. *Maulvi Muhammad Abdul Ghani (on behalf of **Dr. Sir Zia Uddin Ahmad**): (a) Will the Honourable the Finance Member please state whether the news published in the *Hindustan Times*, dated the 11th January, 1943, that the Government of India were minting small coins for Australia is correct?

(b) If so, what are the values and descriptions of those coins?

(c) Was the metal required for coinage supplied by Australia?

(d) What are the financial implications in such transaction?

The Honourable Sir Jeremy Raisman: (a) and (b). No. The Press report of January 1948 to the effect that Indian Mints were then busy executing orders for copper coin for Australia was quite incorrect. An order for nine million bronze pennies and six million bronze half-pennies was undertaken as far back as December 1941 that is long before the small coin shortage manifested itself in India. This order was undertaken in pursuance of Government's policy of utilising to the full their available resources for the common Allied cause. No later order has been accepted.

(c) The metal used in executing the order just mentioned came from the stocks of the Government of India.

(d) The transaction was completed at a reasonable profit to Government.

Mr. Muhammad Azhar Ali: May I know from the Honourable Member whether the Government has made any profit out of this transactions?

The Honourable Sir Jeremy Raisman: I have already replied to that: It was completed at a reasonable profit.

Mr. Lalchand Navalrai: May I know from the Honourable Member if the Government issued any communique contradicting the news published in the papers?

The Honourable Sir Jeremy Raisman: Yes. It was put out in the Press that the report was quite incorrect.

Mr. Lalchand Navalrai: May I know the amount of profit which the Government made out of this transaction?

The Honourable Sir Jeremy Raisman: I am afraid I cannot say that.

BREACH BETWEEN GOVERNMENT AND THE INDIAN PRESS.

61. *Sardar Sant Singh: (a) Will the Honourable the Home Member make a statement with regard to the facts which led to the breach between the Government and the Indian Press?

(b) How many newspapers and journals in India did not publish the Honours List on the New Year's Day, 1948, and how many published the same in response to the call of the Editors' Conference held at Bombay, giving the following details province by province:

(i) owned by Indians;

(ii) owned by Europeans or Anglo-Indians; and

(iii) number of dailies, weeklies and monthlies?

(c) How many newspapers, both dailies and weeklies, suspended publication on the 6th January, 1948, in response to the same call, giving details province by province?

(d) Do Government propose to conciliate the Press? If so, what steps do they propose to take in this direction?

The Honourable Sir Reginald Maxwell: (a) If the Honourable Member refers to the recent protest by the press against the suppression of news concerning Professor Bhansali's fast, the facts have already been published extensively in the press and are presumably known to Honourable members of this house.

(b) and (c). The information asked for is not available and the labour involved in compiling it would not be justified in time of war.

(d) As what the Honourable Member calls the breach has now been closed this part of the question does not arise.

Mr. Lalchand Navalrai: Has the breach been closed completely?

The Honourable Sir Reginald Maxwell: A breach is either closed or open. I said it was closed.

Mr. Lalchand Navalrai: May I know whether any conditions or particular limitations have been put on the press, and whether the press have been satisfied?

The Honourable Sir Reginald Maxwell: I have no means of knowing that.

CASUALTIES, ARRESTS, ETC., DURING THE RECENT DISTURBANCES.

62. *Sardar Sant Singh: Will the Honourable the Home Member be pleased to state:

- (a) the names of the towns where disturbances occurred after the arrest of Mahatma Gandhi and the Working Committee of the Indian National Congress;
- (b) the steps taken to suppress the same;
- (c) the names of the towns where the Military or the Air Force was used to suppress the same;
- (d) number of times firing was resorted to;
- (e) the number of persons killed and injured;
- (f) the number of arrests made;
- (g) the number of persons prosecuted and the number convicted and the number sentenced to death and the number actually executed; and
- (h) the number of persons detained without trial?

The Honourable Sir Reginald Maxwell: (a) The disturbances occurred in a large number of places and it is not possible to collect this information without undue expenditure of labour.

(b) I would refer the Honourable Member to my speech in this House on the 15th September, 1942.

(c) The number of such towns is large and it is not possible to collect the information required without undue expenditure of labour.

(d) 538 times up to about the end of the year 1942.

(e) The number of persons killed by police or military firing up to about the end of the year was 940 and the number injured 1,630.

(f) 60,229 persons had been arrested up to about the end of the year.

(g) The number of persons convicted up to about the end of the year was approximately 26,000. I have no information about the number of persons prosecuted, or the number sentenced to death or executed.

(h) Approximately 18,000 persons had been detained under rules 26 and 129 of the Defence of India Rules up to about the end of the year.

Although, as will be seen from my replies to parts (f), (g) and (h), large numbers of people have been arrested, convicted or detained the figures by themselves give a false impression since large numbers of persons have also been released or were sentenced only to short terms of imprisonment or to fines. The number of persons actually in custody at about the end of the year was approximately 14,000 convicted prisoners and 11,000 persons detained under the Defence of India Rules.

Sardar Sant Singh: May I know with reference to the answer to part (c) of the question how many times the air force was used and in what provinces?

The Honourable Sir Reginald Maxwell: The question was with respect to the names of the towns.

Sardar Sant Singh: What are the names of the towns where the air force was used? That must be a small number. Or was it a big number?

The Honourable Sir Reginald Maxwell: The air force is not used in a town but in the air.

Sardar Sant Singh: The air force used over the town, if my friend wants to be particular about it? Were bombs thrown from the air to suppress the disturbances? Is that clear?

The Honourable Sir Reginald Maxwell: I can assure the Honourable Member that no towns were bombed by the air force.

Mr. N. M. Joshi: May I ask with reference to the answer given to (h), whether the cases of those detained without any trial will be examined by a advisory committee or by any other machinery by the Government of India?

The Honourable Sir Reginald Maxwell: There is no such proposal at present under consideration.

Mr. N. M. Joshi: May I ask if the Government of India are aware that in Great Britain people detained without any trial are given an opportunity of putting their case before an advisory committee, and whether also the Government of India had agreed to the principle that such cases will be examined by what they have said a very high authority from time to time?

The Honourable Sir Reginald Maxwell: That was in relation to the last civil disobedience movement, Sir.

Mr. N. M. Joshi: May I ask, Sir, whether these principles vary from movement to movement?

The Honourable Sir Reginald Maxwell: Yes, Sir.

Mr. N. M. Joshi: May I ask, Sir, the reason for it?

The Honourable Sir Reginald Maxwell: I am afraid I cannot enter into a debate on that subject.

Sardar Sant Singh: If no bombs were dropped by aeroplanes to suppress the disturbances, were people machine-gunned by aeroplane?

The Honourable Sir Reginald Maxwell: I informed the House in the last Session that in one or two cases persons found committing acts of sabotage on the railway lines, not in towns, were fired on from the air. I believe the number of such cases is very small.

Mr. C. P. Lawson: May I ask the Honourable the Home Member with reference to his reply to (e), whether he has any information as to the number of people who were killed not as a result of firing by the police?

The Honourable Sir Reginald Maxwell: Does the Honourable Member mean victims of the disturbances not caused by Government action? I have such information and I will give it in the debate on Mr. Neogy's resolution.

Mr. C. P. Lawson: Will the Honourable the Home Member be pleased to say whether this figure is not greatly in excess of the figure he has given for those people who suffered as the result of police firing?

The Honourable Sir Reginald Maxwell: It was not in excess.

Pandit Lakshmi Kanta Maitra: Is it not a fact that in the District of Nadia in Bengal, railway gangmen (coolies) were machine-gunned from the aeroplane?

The Honourable Sir Reginald Maxwell: I have no such information.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member aware that a statement to that effect was made in the other House?

The Honourable Sir Reginald Maxwell: I am not responsible for statements in the other House.

SALE OF INDIAN SILVER IN ENGLAND.

63. ***Sardar Sant Singh:** (a) Will the Honourable the Finance Member be pleased to state:

- (i) the total ounces of silver belonging to the Government of India lying in England at the commencement of the war;
- (ii) the total ounces of such silver with the Secretary of State for India on the 1st February, 1943, and
- (iii) the quantity sold in England from the 3rd September, 1939, to the 1st February, 1943, and the prices at which it was sold?

(b) What was the market price of silver in India on the dates when it was sold in England? How much loss was caused to the Exchequer of India?

The Honourable Sir Jeremy Raisman: (a) (i) and (ii). The information regarding the surplus silver stock of the Government of India both in India and in England is compiled together so as to show the position at the end of each financial year. The last published accounts are those given in the Central Appropriation Accounts (Civil) for 1940-41, but the accounts for the next year are expected to be published shortly.

(a) (iii) and (b). I would invite the attention of the Honourable Member to the reply given to parts (a), (b) and (d) of Mr. K. C. Neogy's question No. 62 on the 16th September, 1942, and also to the reply which I have just given to parts (d) to (g) of Mr. Lalchand Navalrai's question No. 53.

RECENT APPOINTMENT OF CHIEF JUSTICE OF THE LAHORE HIGH COURT.

64. *Sardar Sant Singh: (a) Will the Honourable the Home Member be pleased to state if the Government of India have tendered any recommendation to His Majesty the King Emperor for the appointment of Chief Justice to the High Court of Judicature at Lahore in place of Sir Douglas Young who retired on the 19th January, 1943?

(b) Was the Home Department asked to submit its opinion by His Majesty in connection with this appointment? Was the merit of Sir Bakhshi Tek Chand for appointment to the post of Chief Justice considered? Is the Honourable Member aware that the general opinion held in the Punjab is that Sir Bakhshi Tek Chand and Sir Dalip Singh were superseded on racial grounds? Is it a fact that both the above gentlemen have decided to retire as a protest against their supersession? Will the Honourable Member make a detailed statement regarding the appointments recently made by His Majesty on the Bench of High Court of Judicature at Lahore with special reference to the advice tendered by the Government of India?

The Honourable Sir Reginald Maxwell: (a) and (b). The appointment of a Chief Justice of a High Court is made by His Majesty; and is not the concern of the Governor-General in Council.

Sardar Sant Singh: May I ask the Honourable Member if the Government of India is consulted before any appointment is made by His Majesty the King Emperor?

The Honourable Sir Reginald Maxwell: No, Sir.

Sardar Sant Singh: Am I to understand that no names are forwarded by the Government of India for the consideration of His Majesty's Government.

The Honourable Sir Reginald Maxwell: The Honourable Member is correct in so understanding.

GRIEVANCES OF INCOME-TAX DEPARTMENT STAFF OF THE BOMBAY PRESIDENCY.

†65. *Mr. Lalchand Navalrai: (a) Will the Honourable the Finance Member be pleased to state if it is a fact that in the Income-tax Department of the Bombay Presidency most of the Income-tax Officers, their Assistants, Examiners, Inspectors and clerks who have been officiating temporarily since several years past, have not been made permanent? If so, what are the reasons?

(b) Is it a fact that this practice has caused great dissatisfaction amongst the incumbents and some of them have actually left the department owing to lesser prospects than in other departments of the Government of India?

(c) Will the Honourable Member be pleased to state how many Income-tax Officers, Assistants, Examiners, Inspectors and clerks in each Income-tax Office in Sind Division are working temporarily or have been officiating without having been made permanent, and since how long?

(d) Is their confirmation due? If so, why have they not yet been recommended for being made permanent?

(e) Do Government propose to revise the scales of pay of the above mentioned staff to bring them in conformity with the salaries of the other departments of the Government of India? If not, why not?

†Answer to this question laid on the table, the questioner having exhausted his quota.

The Honourable Sir Jeremy Raisman: (a) A large number of officers have been employed in an officiating capacity because a considerable number of temporary posts have been created in connection with the excess profits tax, the clearance of arrears and the assessment of lower incomes.

(b) I am not aware of any general dissatisfaction. It is however true that some members of the clerical staff in Sind and Baluchistan have resigned from the Department during the last two years in order to take up appointments elsewhere on higher rates of pay. With one exception, the clerks who have resigned had less than two years' service in the Department.

(c) A statement is laid on the table.

(d) The question of confirmation can only arise if they have been appointed in clear vacancies or the temporary posts in question are made permanent.

(e) No. The revised scale of pay of Income-tax Officers has been fixed on an all-India basis. The scales of pay of all subordinate service officers in the departments of the Government of India working in the provinces are generally fixed taking into consideration local conditions, the nature of the work performed and the pay fixed for Provincial Government servants of a corresponding grade.

Statement showing the position in Sind and Baluchistan at the end of December, 1942.

No. of persons officiating.		No. who have been officiating continuously for	
I. T. Os. & A. I. T. Os.	7	More than 4 years	2
		More than 3 "	3
		More than 2 "	3
		More than 1 "	2
		Less than 1 "	1
Examiners	7	More than 4 "	1
		More than 3 "	3
		More than 2 "	3
		More than 1 "	1
		Less than 1 "	2
Inspectors	3	More than 4 "	2
		More than 3 "	1
		More than 2 "	1
		More than 1 "	1
		Less than 1 "	1
Asst. Insp. Examiners	6	More than 4 "	1
		More than 3 "	1
		More than 2 "	1
		More than 1 "	1
		Less than 1 "	3
Clerks	37	More than 4 "	6
		More than 3 "	2
		More than 2 "	10
		More than 1 "	10
		Less than 1 "	9

TRANSFER OF CONTROL OVER INCOME-TAX TRIBUNALS AND THE APPELLATE ASSISTANT COMMISSIONERS OF INCOME-TAX.

†66. ***Mr. Lalchand Navalrai:** (a) Will the Honourable the Finance Member be pleased to state if the control of the Finance Department over the Income-tax Tribunals has been transferred to the Legislative Department or any other Department of the Government of India? If so, since when, and what kind of control has been so transferred?

(b) Does any control of the Central Board of Revenue over the Income-tax Tribunals still remain? If so, what and why?

(c) Who is controlling the Appellate Assistant Commissioners and by whom are they appointed?

(d) In view of the policy of the Government to separate the judicial work of the Income-tax Department from that of the Executive, do they propose to transfer the control over the Appellate Assistant Commissioners to the same department of the Government of India as that of the Income-tax Tribunals? If not, why not?

†Answer to this question laid on the table, the questioner having exhausted his quota.

The Honourable Sir Jeremy Baisman: (a) Yes. Complete control over the Income-tax Appellate Tribunal was transferred to the Legislative Department with effect from the 30th May, 1942.

(b) No.

(c) Appellate Assistant Commissioners of Income-tax are appointed by the Central Government and are under the direct administrative control of the Central Board of Revenue. The Commissioners of Income-tax are in immediate administrative charge of these officers.

(d) No. In this connection I invite the Honourable Member's attention to the reply given by me on the 19th February, 1942, to a Resolution moved by Sir Abdul Halim Ghuznavi on the 12th February, 1942 (pages 340-41) of the Assembly Debates.

RESPONSIBILITY FOR ARMY REQUISITIONED FOR MAINTAINING ORDER.

67. *Mr. Govind V. Deshmukh: Will the War Secretary please state:

- (a) to whom the army, if called in to aid of the civil power, is responsible; whether it is responsible to the Military Officer or to the Civil Authority;
- (b) on whom the primary responsibility rests for withdrawing the army from a place where it was sent to establish peace and order on being requisitioned by a civil authority; and
- (c) whether it is the duty of the civil authority to be present on the spot so long as the army is stationed or is on duty to keep order in a place, town or village?

Mr. C. M. Trivedi: (a) When a Magistrate requires troops to take action in aid of the civil power, such troops carry out their duties for the purpose indicated by the Magistrate under the orders of the Military Commander.

(b) When aid to the civil power by the army is considered necessary the requisition for such aid is made by a Magistrate or competent civil authority. Similarly a Magistrate or competent civil authority is empowered to indicate when the object for which the troops were required has been achieved and when their aid is no longer necessary.

(c) Yes, Sir. Magistrates are present with troops whose aid to the civil power has been required whenever and wherever this is practicable.

Mr. Govind V. Deshmukh: May I know, Sir, whether the Magistrate moves with the Commander who is in charge of the situation, or is it that wherever the Commander is in the City the Magistrate moves with him?

Mr. C. M. Trivedi: I have not been able to follow the Honourable Member's question.

Mr. Govind V. Deshmukh: I wish to know whether, when military aid is requisitioned by any civil authority or magistrate, the person requisitioning that aid goes with the troops and sees that they are posted in the proper places and that no disturbance is created.

Mr. C. M. Trivedi: The Magistrate, as I have said, Sir, is present with troops whenever it is practicable. The actual disposition of troops in a particular area is made under the orders of the Military Commander.

Mr. Govind V. Deshmukh: Does that Military Commander know the situation of the city so well that he can on his own initiative post his troops in different places?

Mr. C. M. Trivedi: The Military Commander acts in the closest consultation with the civil authorities.

Mr. Govind V. Deshmukh: Then I take it that both the persons are present at the same time and place.

Mr. C. M. Trivedi: I have said, Sir, that whenever and wherever it is possible, the Magistrate is present with the troops.

Mr. Govind V. Deshmukh: Can the Magistrate be absent?

Mr. O. M. Trivedi: Well, that depends on the number of Magistrates. They may not be available everywhere.

Mr. Govind V. Deshmukh: Then I take it that the Military Commander himself takes the initiative and manages the affairs without the help of any Magistrate.

Mr. O. M. Trivedi: The Honourable Member is free to draw his own conclusions.

Mr. K. C. Neogy: In so far as the air force was employed for the purpose of machine-gunning saboteurs of railway lines, as mentioned by the Honourable the Home Member, was the air force acting in collaboration with the civil authorities concerned?

Mr. O. M. Trivedi: I want notice of the question.

Mr. Lalchand Navai: May I know if the military in Sind has done its purpose so that they may be removed from there?

Mr. O. M. Trivedi: This does not arise out of the question.

MEASURES FOR PROTECTION OF WOMEN FROM MOLESTATION BY SOLDIERS USED FOR RESTORING ORDER.

68. *Mr. Govind V. Deshmukh: Will the War Secretary please state:

- (a) if his attention has been drawn to the "Publicity Officer's statement to the Press" handed to the Press by the Chief Secretary to the Government of the Central Provinces about the solution of the difficulties arising from the Chimur incident; and
- (b) if he endorses the views in respect of the military engaged in restoration of order which find place in the statement namely "The Government attaches and has always attached the greatest importance to the maintenance of discipline among the military and police engaged in restoration of order and considers that the respect for the honour of women and their protection from molestation are and shall be the first essential of good discipline"? If so, what precautionary measures at present exist and what measures does he propose to adopt to protect women from molestation by soldiers when the army is used for restoring order?

Mr. O. M. Trivedi: (a) Yes, Sir.

(b) The Government of India are in full agreement with the extract which has been quoted. Officers and all ranks invariably receive instruction as to how they should act when called out for the restoration of order; and the proper treatment of the civil population is always stressed in any instruction given.

Mr. Govind V. Deshmukh: May I know what are the instructions? Are there any standing instructions or are they orally issued from time to time whenever a situation arises?

Mr. O. M. Trivedi: There are standing instructions and they are reiterated every time military aid is requisitioned for the restoration of order.

Mr. Govind V. Deshmukh: May we have that statement laid on the table?

Mr. O. M. Trivedi: I want notice of that.

Sardar Sant Singh: In view of the many allegations of molestations of women and children during the last disturbances by the military authorities, will the Honourable Member tell us how many persons belonging to the military have been prosecuted or court-martialled or even had their conduct inquired into by the military authorities as regards those allegations?

Mr. O. M. Trivedi: No definite allegations have been made against definite individuals.

Sardar Sant Singh: Whose duty is it to find out the individuals? Allegations are made against the military employees. Will the Honourable Member tell us whether it is not the duty of the military to find out the guilty persons? •

Mr. O. M. Trivedi: As I said, no definite allegations have come to the notice of the Government.

Sardar Sant Singh: Will the Honourable Member refer to the speech of the Honourable Mr. Neogy on the Resolution for the appointment of an inquiry committee, and will he look into the allegations made therein?

(No answer was given.)

RECENT AIR RAIDS OVER ASSAM AND BENGAL.

69. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Civil Defence be pleased to state on which dates the Japanese air force raided the different areas of Assam and Bengal and at what time of the day or night?

(b) How many aeroplanes, fighters and bombers, separately, took part in the raids and how many planes of the Royal Air Force or United States of America and Indian Air Force took part against the aggressors in Assam and Bengal?

(c) When did the Honourable Member pay his last visit to the affected areas in Assam and Bengal?

(d) Does the Honourable Member propose to give the number of people wounded and killed, separately, on each occasion of raids and what sort of damages were done to properties?

Mr. N. V. H. Symons: (a) Information as to Air Raids which had taken place up to that date on various parts of India including Assam and Bengal was given to the House in answer to question No. 50 on the 16th September, 1942. The present answer relates to the period between the 16th September, 1942 and the 10th February, 1943.

In Assam twelve raids were carried out in the North East Area of the Province on the 25th, 26th and 28th October, 1942 at various times between midday and 3 P.M.

In Bengal, the Calcutta, Chittagong and Feni areas were bombed. The Calcutta area was raided seven times on the 20th, 22nd, 23rd, 24th and 26th of December, 1942, and on the 15th and 19th of January, 1943. All these raids occurred between 9-30 P.M. and 4 A.M. mostly being carried out by moonlight.

The Chittagong area was raided ten times on the 25th October, 5th, 10th, 15th, 16th, 20th, 24th and 26th December, 1942, and 17th and 23rd January, 1943. The first five raids were carried out in daylight between 11-30 A.M., and 4-30 P.M. The last five occurred between 9-30 P.M. and 4-30 A.M. mostly being carried out by moonlight.

The Feni area was raided five times; on the 16th and 23rd December, 1942 and 17th January 1943 in daylight between 9-30 A.M. and 3-30 P.M. and on 28th December, 1942, and 23rd January, 1943 in darkness between 3-30 A.M. and 4 A.M.

(b) In Assam the attacking force on each day was made up of between 18 and 27 bombers and an equal number of fighters.

In the Calcutta area from three to nine bombers were used in each attack.

In the Chittagong area the night raids were carried out by two to three bombers and daylight raids by formations consisting of fourteen to twenty seven bombers escorted by an equal number of fighters.

In the Feni area the night raids were carried out by three to nine bombers, and daylight raids by fourteen to sixteen bombers.

Ample fighter cover was in operation during these raids. It is not in the public interest to disclose the details asked for, but The Honourable Member will no doubt have read in the Press of the exploit of Flt./Sgt. PRING, D.F.M. in shooting down three enemy bombers in four minutes.

(c) The Hon'ble Member for Civil Defence, visited Calcutta from 24th November till 1st December, 1942. He has not yet visited Assam.

(d) No. The Honourable Member is referred to the answer given to question No. 59 on 16th September, 1942 on this subject.

Pandit Lakshmi Kanta Maitra: May I inquire of the Honourable Member if there was not an air raid on the Cox's Bazaar area?

Mr. N. V. H. Symons: That was over the border in Burma: it was not on Bengal.

Pandit Lakshmi Kanta Maitra: Did the Honourable Member say that during the Japanese raids over Calcutta the bombers were not escorted by fighters?

Mr. N. V. H. Symons: Only bombers.

Babu Baijnath Bajoria: Is it a fact that the Member for Civil Defence did not visit Calcutta after the bombing?

Mr. N. V. H. Symons: It is a fact.

Babu Baijnath Bajoria: What steps are Government taking to compensate the civil persons injured and the heirs of persons killed and for the loss of property caused by the Japanese air raids in Calcutta and other areas?

Mr. N. V. H. Symons: I suggest that the Honourable Member should address his question to the Labour Department who deal with the War Injuries Ordinance, and as regards property, I understand that that is under the consideration of the Defence Department.

Pandit Lakshmi Kanta Maitra: With regard to part (d), will the Honourable Member give us any information as to the casualties?

Mr. N. V. H. Symons: Honourable Members will remember that we made it clear that, although we did give the actual casualties of the first two raids last spring on Vizagapatam and Coconada, following the practice in the United Kingdom we do not propose to give details of casualties after each raid or detailed casualties which the enemy could associate with any particular series of raids. But as the raids have now been going on since April 1942, I can give rather more information than I gave last September, when I gave only the total number of casualties up to that date. I am now in a position to give the House the figures of the total casualties, killed and wounded separately, in all raids on British India since April 1942; the figures are—killed 358, and wounded 459.

Mr. Lalchand Navalrai: May I know how many bombers were brought down on the Calcutta area?

Mr. N. V. H. Symons: That I think is a question you should ask the War Department.

Mr. Ananga Mohan Dam: Will the Honourable Member state whether conditions in Bombay were more serious than in Assam for civil defence and if not what was the reason for neglecting Assam?

Mr. Jamnadas M. Mehta: There are non-Japanese bombs thrown in Bombay!

Kunwar Hajee Ismaiel Alikhan: Do you plead the cause of Bombay or of Assam?

Mr. Ananga Mohan Dam: I plead the cause of Assam, but the Government of India seems to plead the cause of Bombay first. I want to know why the Honourable Member did not go to Assam.

Mr. K. C. Neogy: He was busy holding conferences of ladies.

Mr. N. V. H. Symons: I referred to bombing in my answer but did not mention Bombay.

(b) WRITTEN ANSWERS.

EVACUATION FROM CHITTAGONG AND CALCUTTA AFTER JAPANESE AIR RAIDS.

70. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Civil Defence be pleased to state if Chittagong has been evacuated by the civil population out of sheer sense of helplessness? If so, what arrangement has been made to help the civil population to remain in their homes by assuring them of their safety and security?

(b) Has the Honourable Member any idea of the exodus of the labour population and of the menial servants from Calcutta who had been terrorised by the Japanese raids?

(c) Does the Honourable Member propose to give the statistics of the people who left Calcutta during the last week of December 1942 and the 1st week of January 1943? If so, is he prepared to make a statement about the statistics on the floor of the House?

(d) Was the Honourable Member present on the 24th and 25th December in Calcutta?

(e) Did the Honourable Member make a statement on the high morale of the Bengal people in Calcutta who had led them to enjoy the festivities of the Xmas despite Japanese raids on Calcutta on the 21st, 23rd, 24th and 25th December?

Mr. N. V. H. Symons: (a) (i) No.

(ii) Full A. R. P. and Civil Defence preparations have been made and have functioned very well.

(b) Yes.

(c) No.

(d) No.

(e) Yes, a statement which appeared in the press was made but not in the terms of the question.

APPOINTMENT OF ORGANISERS AND WARNING OFFICERS IN BENGAL.

71. *Mr. Amarendra Nath Chattopadhyaya: (a) Has the Honourable Member for Civil Defence appointed the organisers and the senior and junior Warning Officers as advertised in September last and interviewed in October last? If so, does he propose to lay on the table the list of persons appointed and state on what basis these appointments have been made? If appointments have not been made, will he state how long would it take Government to decide on the appointments? Is it a fact that the Honourable the Chief Justice of India—Sir Maurice Gwyer—was appointed to select the applicants for these posts? If so, has he done it?

(b) Does the Honourable Member propose to state the present number of Civic Guards, Air Raid Precaution staff and the National War Front workers who are helping the Civil defence works in Bengal and who are the leading officers of these forces, separately?

(c) What arrangements have been made for the maintenance of these forces and for the supply of staple food by the Provincial authority to these forces and has the Central Government any control over these forces in the provinces?

Mr. N. V. H. Symons: (a) No Officers have been appointed. The Honourable Sir Maurice Gwyer presided over a Selection Committee at New Delhi in the middle of December last and the final report of the Committee was received on 16th January, 1943. In the meantime it has been decided that Warning Officers will remain under War Department control. This decision was reached partly owing to the change in the War situation and partly owing to operational difficulties in inserting Civil Officers in the warning organization system the main part of which must be manned and controlled by military personnel.

(b) The Civil Defence Department are only concerned with A. R. P. staff. A statement is laid on the table. As regards the names of the leading officers, such information as is in the possession of the Government of India is given in

the statement but it is not claimed that it is complete. These appointments are made by the Provincial Government and not by the Government of India.

(c) Maintenance and the supply of staple food for A. R. P. Services is a Provincial responsibility and the Central Government has no control over these forces in the Provinces. The Bengal Government have made arrangements for the feeding of this personnel.

Statement showing the A. R. P. Services in Bengal.

A. R. P. SERVICES.

Wardens	22,698
Messengers (Inside)	152
Messengers (Outside)	3,172
House Fire Party Personnel	104,742
First Aid Party Personnel	2,645
First Aid Post Personnel (fixed)	2,292
First Aid Post Personnel (Mobile)	101
Ambulance Service (Ambulance staff)	729
A. S. (Sitting case car drivers)	417
Rescue Party Personnel	3,847
Control and Report Centre	928
Fire Services (A. F. S.)	2,014
Fire Service (Regular)	269
A. R. P. Instructors	349
Total	144,355

• Leading Civil Defence Officials in Calcutta Industrial Area.

CALCUTTA CITY.

- A. S. Hande, Esq., C.I.E., M.C., I.C.S.,
A. R. P. Controller.
- S. K. Dey, Esq., I.C.S.,
Assistant A. R. P. Controller.
- A. H. Nunn, Esq., B.Sc., M.I.H.E.,
Officer i/c Rescue Service.
- P. K. Biswas, Esq.,
Officer in-Charge Casualty Service.
- A. C. Roberts, Esq.,
Officer-in-Charge Communications Service.

HOWRAH.

- Mr. Majid,
A. R. P. Controller.

24 PARGANAS.

- Rai Bahadur N. R. Mukerji,
A. R. P. Controller.

HOOGHLY.

- B. B. Das Gupta, Esq.,
A. R. P. Controller.

VALUE OF SMALL COINS MINTED SINCE THE OUTBREAK OF WAR.

72. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Finance Member be pleased to state the total value of small coins of silver as well as of cheap metal and copper minted every month since the war broke out?

The Honourable Sir Jeremy Raisman: A statement is laid on the table of the House.

(000 omitted)

[illegible]

GRAND TOTAL

(September 1939—January 1943.)

MUSLIM CANDIDATES FOR THE INDIAN CIVIL SERVICE EXAMINATION, 1943.

73. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Home Member please state:

- (a) the total number of candidates fixed to sit at the competitive examination for the Indian Civil Service in 1943;
- (b) the quotas fixed for every province for the same and the number allotted to Muslim candidates; and
- (c) the total number of such Muslim candidates selected from every province to sit for the examination?

The Honourable Sir Reginald Maxwell: (a) The number of candidates who may be admitted in any year to the Indian Civil Service examination held in India is limited to 800.

(b) and (c). The quotas are fixed not on a communal, but on a Provincial basis. The quotas and the number of Muslim candidates from each Province admitted to the Indian Civil Service examination held this year are given in a statement laid on the table.

Statement.

Quota for admission to the Indian Civil Service Examination.		Nos. admitted to the Indian Civil Service examination held in 1943.	No. of Muslim candidates admitted to the Indian Civil Service examination in 1943.
Selection Area.	No. of candidates.		
Madras	50	..	3
Bombay	22	..	1
Bengal	45	..	5
U. P.	53	..	24
Punjab	48	..	14
Bihar	23	..	1
C. P.	11	..	1
Assam	6	..	2
N.-W. F. P.	6	..	2
Sind	6	..	3
Orissa	5	..	1
	*275	232	57

*The remaining 25 seats are at the disposal of the Federal Public Service Commission to be allotted in each year among selection areas or otherwise in their discretion.

LEGISLATION FOR CONTROL AND REGULATION OF BANKS.

74. *Mr. T. T. Krishnamachari: Will the Honourable the Finance Member please state:

- (a) whether the Government of India have given up the idea of undertaking legislation to control and regulate banks in this country;
- (b) whether the attention of the Government of India has been drawn to the large number of banks floated in this country since September 1939; and
- (c) whether the Government of India are aware that there have been certain deviations from normal practice in regard to the control and management of banks in respect of several of these new concerns?

The Honourable Sir Jeremy Raisman: (a) The proposed legislation has been postponed for the duration of the war.

(b) Yes.

(c) The attention of Government has been drawn to certain undesirable features of some of these new concerns and the matter is under consideration.

BROADCASTS BY FOREIGN REPRESENTATIVES FROM THE ALL-INDIA RADIO.

75. *Mr. T. T. Krishnamachari: Will the Honourable Member for Information and Broadcasting please state:

- (a) how many representatives of Broadcasting Corporations, British and foreign, are permitted to broadcast from the All-India Radio studios; and
- (b) whether the Government, through the Controller of Broadcasting or otherwise, exercises control over the matter so broadcast by representatives of such Corporations?

The Honourable Mr. M. S. Aney. (a) The number is not fixed. Hitherto, ten representatives have broadcast commentaries, for four British and non-British broadcasting organisations, from the studios of All-India Radio.

(b) Yes; these commentaries are subject to the usual censorship applicable to messages sent outside India.

ARREST OF LALA RAM KISHAN DAS OF DELHI.

76. *Maulana Zafar Ali Khan: (a) Will the Honourable the Home Member please state whether it is a fact that on the night of the 28th August, 1942, the City Magistrate of Delhi accompanied by two other Magistrates and a posse of police of about 100 strong headed by the Deputy Superintendent of Police surrounded the shop of Messrs. Mamraj Chunni Lal in Naya Bazar and ordered the proprietor, Lala Ram Kishan Das, who is the President of the Delhi Grain Merchants' Association, to be placed under arrest and his stocks of wheat attached to Government?

(b) Is it a fact that immediately after the City Magistrate ordered the withdrawal of the police cordon and release of the proprietor, Lala Ram Kishan Das?

(c) Do Government propose to state the circumstances which led the City Magistrate to take such an arbitrary action?

(d) Are Government aware that this action of the City Magistrate resulted in terrorising the mercantile community trading in food grains with the consequent discouragement of the traders in importing food stuffs as freely as before and which is responsible for the acute shortage of food grains in Delhi?

(e) Are Government satisfied that the action of the above official was not justified? Are they prepared to hold an enquiry to scrutinize the conduct of this official and to restore the confidence of the general public and the mercantile community in particular?

The Honourable Sir Reginald Maxwell: (a), (b) and (c). On August 28th, 1942 considerable popular indignation was aroused by the alleged refusal of the firm Chunnai Mul Mamraj to sell to the public certain stocks of wheat which were with them. The refusal constituted an infringement of the Defence of India Rules and the Foodgrains Control Order 1942. The City Magistrate accompanied by two honorary magistrates and the City Deputy Superintendent of Police, went to the shop of the firm, where a large crowd had collected. On being addressed by the City Magistrate the proprietor of the firm promised to bring out his stocks for sale, and actually did so. No arrests were made, nor was it found necessary to confiscate any stocks.

(d) No. On the other hand, they consider the action of the City Magistrate as entirely commendable.

(e) There is no case for ordering any inquiry.

"JOINT RESPONSIBILITY" FOR SECURITY OF RAILWAY LINES.

77. *Mr. K. C. Neogy: (a) Will the Honourable the Home Member be pleased to explain the reference to "imposition of joint responsibility in districts through which the lines run" as reported in the reply to starred question No. 12, dated the 14th September, 1942, on the subject of the dislocation of war transport on account of mob violence?

(b) What are the orders, if any, that have been passed in regard to different districts through which the Railway lines run for the purpose of imposing such "joint responsibility"?

(c) Does the scheme contemplate the guarding of the lines, or the adoption of any other precautionary measures, by the people concerned as a positive responsibility? And how is such responsibility enforced?

(d) Is the Honourable Member aware of an order of the Bihar Government conveyed to the Commissioner of the Chota Nagpur Division, Ranchi, as quoted below, imposing "collective responsibility" for the strategic lines in the colliery areas of the Dhanbad Sub-division as well as other areas through which these lines pass, on the collieries themselves, including an obligation to arrange for patrols to guard these lines:

Copy of a letter No. 4535-C.W.12(13)-22/42, from Y. A. Godbole, Esq., C.I.E., I.C.S., Chief Secretary to the Government of Bihar, Political Department, Special Section, to the Commissioner of the Chota Nagpur Division, Ranchi.

"I am directed to refer to your memo. No. 713-C, dated the 16th October, 1942 and to say that the Provincial Government consider that the scheme of imposing collective responsibility must be carried out on the strategic lines, and it must be done in the colliery areas of the Dhanbad Subdivision as well as other areas through which these lines pass. They have therefore decided that the liability must be undertaken by the collieries since there is none in these villages but themselves and their labour. The patrols should be arranged by them. I am to request that the decision of Government may be communicated to them through the Additional Deputy Commissioner of Dhanbad"?

(e) Does the Honourable Member propose to place on the table a copy of the scheme of imposing "collective responsibility" referred to by the Bihar Government in the letter quoted above?

(f) Is any compensation payable to any party in respect of the cost incurred by it in arranging for patrols or other precautionary measures, on the Railway lines under any such scheme? If so, by whom and on what scales?

The Honourable Sir Reginald Maxwell: (a) Under the Collective Fines Ordinance persons living in the neighbourhood of railway lines are liable to penalties if these lines are damaged and the principle of joint responsibility to which the Honourable Member for Railways referred is that such persons should in their own interest and as part of their duty as citizens take such steps as they can to ensure that no damage occurs. These steps include patrolling, keeping a watch for likely saboteurs and conveying information about their movements.

(b) and (c). The orders regarding joint responsibility for the safety of communications vary in different Provinces and it is for the Provincial Governments to determine how the scheme is to be actually worked.

(d) I have no official information but a copy of the Chief Secretary's letter under reference was sent to Government by the Federation of Indian Chambers of Commerce.

(e) No. The matter is entirely within the discretion of the Bihar Government.

(f) The practice in this matter varies in different Provinces. I do not possess complete information about the details.

UNSTARRED QUESTIONS AND ANSWERS.

BUSINESS CORRESPONDENCE OF SARDAR SARDUL SINGH CAVEESHAR.

18. Maulana Zafar Ali Khan: (a) Is the Honourable the Home Member aware of the fact that Sardar Sardul Singh Caveeshar was permitted to carry on business correspondence regarding the People's Insurance and the New Hindustan Bank, Limited, Lahore, for some time after his detention on the 9th March, 1942?

(b) If the reply to part (a) be in the affirmative, is the Sardar Sahib still enjoying the same facilities? If not, why not?

The Honourable Sir Reginald Maxwell: (a) and (b). Sardul Singh Caveeshar was permitted to sign certain papers and cheques in connection with his business prior to the advice given to the People's Insurance Co. and the New Hindustan Bank Ltd., to appoint someone else in his place as their Managing Director. The rules governing security prisoners require that all correspondence to and from them shall be confined to purely domestic matters. The correspondence allowed is sufficient to keep Sardul Singh in touch with his personal affairs, but not to fulfil his obligations as the Managing Director of the two concerns.

TREATMENT METED OUT TO SARDAR SARDUL SINGH CAVEESHAR.

19. Maulana Zafar Ali Khan: (a) Is the Honourable the Home Member aware of the fact that Sardar Sardul Singh Caveeshar has recently made a representation to the Governor General of India regarding treatment meted out to him during his detention in Lahore Fort from March to September, 1942?

(b) Is he aware of the fact that Sardar Sardul Singh Caveeshar has complained in that representation against Mr. Wace, Deputy Inspector General (C. I. D.), Punjab, who gave a threat to the Sardar Sahib of withdrawing all the facilities given to him under the security prisoner rules, if he did not disclose the facts regarding the relations between Mr. Subhas Bose, Akali Party Leaders and other Indian Leaders?

(c) If the reply to part (b) above be in the affirmative, what are the reasons for the same and what action has been taken against the officer concerned?

The Honourable Sir Reginald Maxwell: (a) I have not seen any such representation and in any case the Government of India are not concerned with representations made to the Governor General.

(b) and (c). Do not arise.

BUSINESS CORRESPONDENCE OF SARDAR SARDUL SINGH CAVEESHAR.

20. Maulana Zafar Ali Khan: (a) Will the Honourable the Home Member please state if it is a fact that Sardar Sardul Singh Caveeshar was allowed for the last nine months to correspond with his people on business affairs but has been stopped from doing so now?

(b) Is it a fact that the above order was passed after the Sardar Sahib's complaints to the Viceroy and other high officials regarding the treatment meted out to him during his detention in the Lahore Fort from March 1942 to September 1942?

(c) Is he aware of the fact that in his petition the Sardar Sahib complained against the Deputy Inspector General (C. I. D.), Punjab, and his Assistants and this very officer has now imposed these new restrictions?

The Honourable Sir Reginald Maxwell: (a) and (b). The Honourable Member is referred to the answer to question No. 18.

(c) Does not arise.

NON-GRANT OF MAINTENANCE, ALLOWANCE TO SARDAR SARDUL SINGH CAVEESHAR'S FAMILY.

21. Maulana Zafar Ali Khan: (a) Will the Honourable the Home Member please state if it is a fact that no maintenance allowance has been granted to the family members of Sardar Sardul Singh Caveeshar since his detention on the 9th March, 1942? If so, why?

(b) Has an application been made to the Government to this effect? If so, what action has Government taken on this application.

The Honourable Sir Reginald Maxwell: (a) Yes. It is understood that no member of his family is dependent on him except an adopted daughter and a son who are being looked after by their real parents.

(b) Government do not propose to accept his application for the reasons stated in reply to part (a)

MOTIONS FOR ADJOURNMENT.

REFUSAL OF PERMISSION TO MR. RAJAGOPALACHARI FOR INTERVIEWING MAHATMA GANDHI.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The next adjournment motion is No. 11, given notice of by **Mr. Joshi** who wants to make a motion for adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance *viz.*, the refusal, by the Government of India, of permission to Mr. Rajagopalachari to interview Mahatma Gandhi, to discuss with him the question of the solution of the political problem. Is there any objection?

Mr. N. M. Joshi (Nominated Non-Official): In view of the altered political situation I do not propose to make the motion for an adjournment of the House today. I shall take another opportunity to deal with that subject.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may do what he likes afterwards. I want to know what he is going to do now. Is he going to move it?

An Honourable Member: He is withdrawing it.

Mr. N. M. Joshi: I do not propose to make the motion. I do not withdraw it. There is no question of withdrawing.

LEGISLATION BY ORDINANCES.

Mr. President (The Honourable Sir Abdur Rahim): Then the next motion is in the name of Mr. Kazmi who wants to discuss a definite matter of urgent public importance *viz.*, the failure of Government of India to take the Legislatures in confidence in respect of the very important laws of the country and for which the Governor General is compelled to issue Ordinances. Ordinances are issued by the Governor General in his discretion?

The Honourable Sir Sultan Ahmed (Law Member): Yes.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Mubammudan Rural): What I say is that it is the function of this Legislature to enact proper laws even in a time of emergency and it is the function of the Government of India to bring proper legislation before this House and not to leave it absolutely to the Governor General to make ordinances. When the Governor General finds that Ordinances are necessary, why does the Government of India not consider it necessary to bring proper legislation before this House?

Mr. President (The Honourable Sir Abdur Rahim): I do not know what is the attitude of the Government.

The Honourable Sir Sultan Ahmed: The attitude of the Government of India is exactly as you have stated. The matter is entirely within the discretion of the Governor General and his discretion cannot be questioned in this House or even discussed. Supposing an ordinance is issued by the Governor General, we cannot bring the same sort of legislation before the House.

Mr. President (The Honourable Sir Abdur Rahim): I must hold that the motion is not in order because Ordinances are issued by the Governor General acting in his discretion. It is not open to the Government of India to initiate legislation which repeals, amends or is repugnant to any Ordinances issued by the Governor General, unless the Governor General again in his discretion thinks fit to give his previous sanction.

HIGH RATES DEMANDED BY THE TONGAWALLAS OF DELHI.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of Mr. Azhar Ali who wishes to discuss an important and urgent public matter *viz.*, the demand of hirence. . . . What is this "hirence"? I have not come across such a word.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): The tongawallas. It is "hirers".

Mr. President (The Honourable Sir Abdur Rahim): . . . the demand of hirers over and above the schedule rates and refusal to carry passengers on the schedule rates by the tongawallas of Delhi and not taking any step against the tongawallas either by the police constables on traffic duty or by the municipalities of Delhi for the profit they are making and for inconvenience to the passengers.

It is somewhat difficult to follow. This is a matter which really must be referred to the Municipality or the Police, it cannot be discussed here. I rule that the motion is out of order.

Mr. Muhammad Azhar Ali: I submit

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot speak on the motion. This is a question of order.

'COERCION AND INTIMIDATION OF RAILWAY STAFF IN MORADABAD DIVISION.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is also in his name. He wants to discuss a matter of public importance and urgency, viz., the policy of the Government of India in coercing and intimidating the staff, who apply for direction under the Payment of Wages Act, IV of 1936 as revealed (a) by the statement of the Defence Witness No. 2B. Ram Kumar appearing on behalf of the East Indian Railway, on oath, on the 19th January, 1943 in the Court of the City Magistrate, Bareilly, in case No. 1386 of 1942 under section 15 of the Payment of Wages Act and (b) by a declaration in the open Court of the Sub-Divisional Magistrate, Sitapur, on the 18th December, 1942 made by the Counsel of the East Indian Railway, appearing in application No. 302 of 1942 under the Payment of Wages Act to the effect that the Divisional Superintendent, East Indian Railway, Moradabad, has addressed a letter to the Counsel to advise the Divisional Superintendent of the desirability to remove the employed person from the service for his recourse to the court of law. These observations and coercions have caused a panic amongst the staff who consider that their services are neither secure nor protected and have affected adversely to a great extent towards the war efforts.

This, again, I am afraid is rather vague and very difficult to understand. Besides, the matter may be under consideration by a magistrate or a court of law?

Mr. Muhammad Azhar Ali: The case was before the court, but the intimidation which has been caused to the applicant I have referred to clearly in this notice.

Mr. President (The Honourable Sir Abdur Rahim): If there has been intimidation, the court of law is open to the party concerned.

Mr. Muhammad Azhar Ali: The court has nothing to do with that intimidation. The Divisional Superintendent has addressed a letter to the Counsel.

Mr. President (The Honourable Sir Abdur Rahim): This is not a matter to discuss which the business of the Assembly should be adjourned. I rule that the motion is out of order.

REMOVAL FROM SERVICE OF RAILWAY STAFF BY THE DIVISIONAL PERSONNEL OFFICER, MORADABAD

Mr. President (The Honourable Sir Abdur Rahim): The next one is also in his name. He wishes to discuss a matter of public importance and urgency, namely, the policy of the Government of India in removing from service the staff on the East Indian Railway without assigning reasons for such removal as is enforced by the Divisional Personnel Officer, Moradabad, in the Removal

[Mr. President.]

Notice No. E/6/42-T.G., dated the 28th November, 1942 in which it is stated that the services are no longer required by the administration and removed from service by the orders of the Divisional Personnel Officer (an officer subordinate to the Divisional Superintendent and the Head of the Department) in terms of the agreement and conditions of service, and not taking action against the Divisional Personnel Officer for the removal without assigning reasons under the Ordinance No. XI of 1941 (Essential Services Ordinance). The removal from service of the staff without assigning reasons has caused an apprehension of insecurity of services during the present crisis and is retarding the progress of the war efforts.

Mr. Muhammad Azhar Ali: I do not want to move it.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member might have said that in the beginning.

Mr. Muhammad Azhar Ali: As you were standing

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Will the Honourable Member resume his seat?

PRICES OF NECESSARIES OF LIFE.

Mr. President (The Honourable Sir Abdur Rahim): The next one is about the prices of the necessities of life. That will be debated, I think, during the two days which have been allotted for the purpose.

Mr. Muhammad Azhar Ali: Yes. I do not want to move it.

IMPOSITION OF FINANCIAL BURDENS FOR WAR PURPOSES WITHOUT CONSULTING THE ASSEMBLY.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of Mr. Jamnadas Mehta. He wishes to discuss a definite matter of urgent public importance, namely, the failure of the Government of India to take this Assembly into confidence before committing the country to huge and intolerable financial burdens for War purposes, far beyond the capacity of the tax-payer.

This seems to me to be rather vague. This is a matter which ought really to be discussed at the time of the Budget debate.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): May I make a submission?

Mr. President (The Honourable Sir Abdur Rahim): This is too large a question. It must be a definite matter.

Mr. Jamnadas M. Mehta: I want to submit that it will be too late at the time of the Budget to discuss it.

Mr. President (The Honourable Sir Abdur Rahim): What is the definite matter?

Mr. Jamnadas M. Mehta: The definite matter is the huge financial burden. 'Huge' is something very great. I submit therefore that 'huge' is not an indefinite thing. It is a definite statement that it is more than ordinary and I do submit that it cannot be called indefinite. It is quite definite.

Mr. President (The Honourable Sir Abdur Rahim): I hold that it is indefinite.

Mr. Jamnadas M. Mehta: Of course, you can, Sir.

Mr. President (The Honourable Sir Abdur Rahim): I rule it out of order. The Honourable Member should not make any reflection on the Chair's ruling.

ANNOUNCEMENT *re* GRANT OF INADEQUATE DEARNESS ALLOWANCE TO WORKERS.

Mr. President (The Honourable Sir Abdur Rahim): The next one is also in the name of Mr. Jamnadas Mehta. He wishes to discuss a definite matter of urgent public importance, namely, the extreme discontent created among nearly three lakhs of workers in the employment of the Government of India by the action of the latter in failing to consult their respective Trade Unions, before announcing a very meagre and inadequate grant of Dearness Allowance to the workers concerned.

When was this announcement made?

Mr. Jamnadas M. Mehta: On the 23rd January this year.

Mr. President (The Honourable Sir Abdur Rahim): After the last Session?

Mr. Jamnadas M. Mehta: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Who is the Member in charge?

The Honourable Dr. B. R. Ambedkar (Labour Member): I do not think that the failure to consult Trade Unions is a matter of urgent public importance.

Mr. President (The Honourable Sir Abdur Rahim): Why?

The Honourable Dr. B. R. Ambedkar: It is not a definite matter, because there has been no obligation placed upon Government by any

Mr. President (The Honourable Sir Abdur Rahim): That may be an answer on the merits. This announcement was made on the 23rd January?

The Honourable Dr. B. R. Ambedkar: That is so.

Mr. President (The Honourable Sir Abdur Rahim): The allegation is that there is considerable dissatisfaction among the workers who number three lakhs. That suggests that it is rather an important public matter. I hold that the motion is in order.

The Honourable Dr. B. R. Ambedkar: I object to the motion.

Mr. President (The Honourable Sir Abdur Rahim): As objection has been taken, will those who are in favour of leave for the motion being granted rise in their places?

(More than 25 Members stood up.)

As not less than 25 Members are for leave being granted, the motion will be taken up at 4 P.M. or earlier, if the business on the agenda is finished earlier. I take it that that is the desire of the House.

ELECTION OF A MEMBER TO THE COMMITTEE ON PUBLIC ACCOUNTS.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Thursday, the 11th February, 1943, the time fixed for receiving nominations for the election of a Member to the Committee on Public Accounts only one nomination was received. As there is only one vacancy I declare Mr. T. Chapman-Mortimer to be duly elected.

RESOLUTION *re* COMMITTEE FOR ENQUIRY INTO THE ALLEGED MILITARY AND POLICE EXCESSES—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): Further discussion of the Resolution moved by Mr. Neogy on the 24th September, 1942.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise to support the amendments moved by my friends, Mr. Bajoria and Mr. Nilakantha Das. By that, I do not mean to oppose the original Resolution. The reason why I support the amendments is that they are more complete and state both sides of the case far more fully than has been done

[Mr. Jamnadas M. Mehta.]

in the Resolution. The Resolution itself does not condemn the necessary force used against acts of sabotage. The support for the use of legitimate force is implicit in the Resolution. Nearly five months have elapsed since the Resolution was moved. There has been considerable improvement in the situation in the country. Those who were active saboteurs have gone underground and except for an occasional burning of a station or the robbery of a postal peon or some procession, the movement has definitely failed to get public support. We are, therefore, in a position to discuss it more dispassionately than we were in September when feelings were roused and passions were more in evidence.

No condemnation of the excesses of Government in suppressing disorders would be just unless the condemnation of the acts of violence is also full, strong, open-mouthed, complete and unequivocal. I am one of those who condemned the violence which broke out on the 9th August, 1942, at a time when the country was in definite danger of being invaded by a foreign enemy; the result of the movement set on foot on that day was, in my opinion, highly prejudicial to the safety and security of this country and highly impolitic and unpatriotic. It was a movement based on irritation and a sense of frustration. It lacked a sense of proportion and it definitely lacked any appreciation of the international and national situation. For these reasons, as also for the reasons that the sufferers were mostly my countrymen, men, women and children, I denounce that policy of the 9th August without any reservation and every legitimate action which the Government of India might have taken or might hereafter take for suppressing that movement will have my full, unequivocal and constant support. I do not wish to minimise the gravity of the situation that was created on the 9th August in the name of the freedom of this country. Far from being a movement for freedom it was quite the opposite. It was a movement for the enslavement of this country by the Japanese. Therefore, I have nothing but condemnation for those who started and continued it or have still got some sneaking sympathy for it or who are honestly misled into the belief that that movement can do anything good to this country. I condemn those who are privately supporting it and outwardly pretending not to know it. I condemn those cowards who have put women and children and students in front and ruined the careers of the students and brought about the deaths or injury to many boys and girls. I condemn those cowards who sulk behind and put forward those innocent people as their victims and their dupes. I would have expected that every patriotic man then and now would have taken the first care that the security of this country above all should be inviolate. The movement, in my opinion, was, therefore, utterly ill-advised and wholly wrong and unpatriotic. Therefore, I say that in supporting these amendments I am, first of all, supporting Government as strongly as they could desire of a citizen; I support the steps which they took for suppressing the violence and the sabotage that was involved in the "Quit India" movement. I am not one of those who believe that Government arrested these people too soon. They arrested them rather late. I compliment the Government for their considered courtesy and consideration even to the point of fault in tolerating people who had openly proclaimed their intention to rebel. I ask anybody whether anywhere in this world, even under a national government, it would be possible to receive such a considerate treatment for avowed and open rebels. I doubt that even if it was a national government. Some Congress newspapers have practically threatened with hanging those who differed from them. That is the toleration which some of the Congress papers have shown, that people who differ from them should be hanged.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not speaking on the Resolution. The Honourable Member must confine himself to the Resolution.

Mr. Jamnadas M. Mehta: I was simply illustrating the toleration which the Government have shown to those who are saboteurs.

Mr. President (The Honourable Sir Abdur Rahim). If the Honourable Member covers a wide field like this, then he should remember that there are other Honourable Members who might wish to discuss these matters which are really irrelevant to the Resolution.

Mr. Jamnadas M. Mehta: I will not amplify that any further. All I have to say today in support of the latter part of the Resolution, namely, the excesses, is, first of all, based on this unequivocal declaration of condemnation for the disorders. It comes from one who is a friendly critic and who wishes success to their war effort but who also insists that Government should take care that no excess of any kind is indulged in and that it is the policy of the Government that they would scrupulously take all steps to prevent the excesses and punish those who have gone beyond the necessary force. That is the burden of what I am going to say now. I am very sorry to say that Government have not shown that keenness to maintain the balance; while suppressing violence against the State, they should equally suppress all unwarranted use of force against the citizen. Government have no intention, indeed there is lack of real desire to probe behind the action taken by the various Provincial Governments. The Honourable Sir Sultan Ahmed in making his speech that day said that the police and the military were very jealous of their honour and that if any excesses had taken place they would be the first to repudiate them, and that if the use of excessive force were brought to the notice of the Provincial Governments, they will take the earliest step to look into them. That kind of attitude was welcome to me. If that was really so, I would not press this Resolution; but all the evidence that we get is that wherever an excess has been perpetrated, the authorities are most unwilling to examine it—in fact, they are willing to screen it—and much less willing to punish those who have been responsible for these acts of excesses. In fact, in the provinces a policy of frightfulness has been indulged in, a frightfulness which the present Prime Minister has condemned in no unequivocal language. Here is what the Right Honourable the Prime Minister said on another occasion about frightfulness relating to India:

“I mean a prohibition against what is called ‘frightfulness’.”

There is no frightfulness sanctioned in British practice. He says:

“What I mean by frightfulness is the inflicting of great slaughter or massacre upon a particular crowd of people, with the intention of terrorising not merely the rest of the crowd, but the whole district or the whole country. We cannot admit this doctrine in any form. Frightfulness is not a remedy known to the British pharmacopoeia.”

This is Mr. Churchill's statement on the debate of General Dyer's massacres at the Jallianwala Bagh. I stand by this statement and demand that if frightfulness is not in the British pharmacopoeia, the Government must inquire into the frightfulness complained of. I do not want to speak about the events that have happened in the whole country. I confine my observations primarily to my constituency and to the city of Bombay and the district of Thana. I speak from personal knowledge of people who have suffered. I know from personal knowledge of the people who were shot. I am asking Government that, if they do not want to lose their reputation with those who are very friendly and with those who are against any anti-war movement, they must accept this Resolution. I will give only two cases in my constituency where guns were used against women—not against the Japanese, not against the Germans—but against women who were proceeding to their houses or were already there. Government have admitted this grave misuse of authority and have come forward with small compensation instead of punishing those who

[Mr. Jamnadas M. Mehta.]

were guilty. I ask the Honourable Sir Sultan Ahmed whether or not these guns, which should be used only in war against the enemy, were used in the city of Poona and whether Government do not feel that their sense of honour and sense of responsibility demand the punishment of those who were responsible for those murderous attacks on the citizens. Soldiers who fired on those innocent women deserve nothing except hauling up for murder. I will give only one more case. In Nandurbar, a town in my constituency, school boys and girls were going in procession through the bazaar on the 9th September or 10th September—I don't remember the exact date. They were going in procession from their schools. The public had nothing to do with it. It was purely school boys demonstration. They were shouting the usual slogans—harmless slogans. What happened? The police got scared and opened fire on those boys and girls aged mostly from five to fifteen. A procession—not of citizens, not of Congressmen, not of politicians—only of boys and girls returning home from their schools. The police fired on this crowd. The crowd began to run away. One boy of fourteen went to the place where the Congress flag was hoisted in that town and remained there. The police instead of arresting him fired on him. The boy was hit in the leg and the police went on firing till the boy was killed.

An Honourable Member: Shame, shame.

Mr. Jamnadas M. Mehta: The name of that boy will go down in the history of this country as a hero. I have seen the place where he was shot dead; I have met many citizens of Nandurbar. As soon as firing started the procession dispersed, all running for safety. Some ran say towards the Assembly, others towards the Council of State Chamber and the rest towards the Princes Chamber—for the purpose of illustration—I am pointing out that the boys and the girls were shot after they had dispersed and were running for safety.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Jamnadas M. Mehta: I therefore ask the Government to take note of this and institute an inquiry. I have complained to His Excellency the Governor of Bombay. He has promised to enquire if I sent him the necessary papers. But the police have effectively prevented me from collecting full information by terrorising those who had cars to lend me for going to Nandurbar. Even if any friend of mine offered me his own car he is threatened with the stoppage of his petrol supply.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Jamnadas M. Mehta: Therefore, I say that in the interest of good Government and the safety of the citizens—as promised by the Honourable Sir Sultan Ahmed—I appeal to the Honourable the Home Member to accept the amendment that has been moved. Sir, I support.

Pandit Nilakantha Das (Orissa Division : Non-Muhammadian) : Sir, the Resolution as well as the amendment, both of them are very old.

Mr. President: (The Honourable Sir Abdur Rahim): Is the Honourable Member moving his amendment?

Pandit Nilakantha Das: I have already moved my amendment. Sir, at this stage I feel there should be avoided all unnecessary controversy of the matter. So, I propose only to refer to certain principles of administration involved in these excesses. My object in moving the amendment is to bring into bold relief the fact that while this Assembly wants the Government to guard in all possible manners against the use of excessive force, it also supports the Government in the use of legitimate force that may be necessary in dealing with acts of violence and sabotage.

Sir, I differ from those who think that in spite of the Indianization of the Governor General's Executive Council no change has taken place in the Government of India and that, therefore, no change is called for in the traditional duty of the opposition of which I have been a member with certain intervals for a period of more than 18 years. I regret most deeply that even today the Council has not been wholly Indianised. The important portfolios of Finance, Home and Transport are yet in foreign hands. Even so, for the matters to which the resolution and my amendment relate the Indian Members of the Executive Council have taken the fullest responsibility. I sincerely welcome this evidence of collective responsibility of the Executive Council and I hope that when members of different parties and different races have been able to pull together in matters of highest importance which have given rise to great passions, they will be able to function as a cabinet government on questions of still deeper moment.

My friends, Mr. K. C. Neogy and Mr. Jamnadas Mehta, have narrated to you the stories of excesses in different parts of the country. We, on this side of the House, believe that most of these stories will be found to be true on an impartial investigation. But the wildest rumours of excesses find ready credence from the public and the public mind being thus inflamed, prepares the atmosphere for further and more heinous outrages. This is a factor to which I ask the Government to apply their mind in all seriousness. Why is it so? What is the psychology behind it? I say that the public confidence in the administration of law and order has been shaken to its very foundation, mainly because that the administration has been entrusted to civilians here in the Centre and in most of the Provinces. I mean no disrespect to my Honourable friend, Sir Reginald Maxwell, when I say that the edge of much of the criticism that has been levelled against the Government in the matter of controlling the situation created by the recent disturbances would have been blunted had the administration of law and order been in charge of a representative Indian.

Civilian rule has always been an anomaly; today it is a positive danger to the peace of the country and the stability of its Government. I ask the Government to take this fact deeply to their heart. Even in some Provinces with popular Ministries the application of law and order today is, in fact, directed and controlled by the civilian Governors and Secretaries who have never had any real touch with the people and consider repression to be a panacea for all violent and vengeful expressions of popular discontent.

The conditions in the Provinces with Ministries and those under section 93 have often times been contrasted. I can speak with personal knowledge about Orissa. The first point is that most of the disturbances there took place in the lands which are under Princes. But even for that little which took place in the Province under popular Government an enquiry committee was appointed by the Provincial Government for one case of alleged excesses, and this is the only Enquiry Committee of its kind in India, so far as I know. What has been the result there? Surely nothing worse has come of it. In fact that Province is practically free from any disturbances today.

I say in all solemnity and with a deep sense of responsibility that rule by people who are alien to us in race and culture, who do not understand our ways and our customs, who are deadly opposed to our aspirations must end here and now. Rule by civilians, white or brown, must go, if India is to be saved from the horrors of a revolution and perchance the devastation of a foreign invasion. When I say this, I do not indulge in any idle rhetoric. I state only a sober fact. The responsibility that rests on the Government of India today had never been borne by any Government in this country before. It is for them to determine whether the history of India henceforth shall be drenched in blood or whether it shall be a record of peaceful progress towards the fulfilment of her

[Pandit Nilakantha Das]

destiny. I want to offer them all help in carrying out their terrific responsibilities. Therefore, in spite of my intense dissatisfaction with the composition of this Government, I extend to them in all sincerity my hand of co-operation, modifying the policy I have followed during a life time. I ask them to think not once, not twice, but many times before they reject the co-operation so offered.

Times have changed. We are in the midst of the most supreme crisis in the history of our country. It is easy to say it; but I am afraid that few of us realise it in the way we should. New conditions call for new policies and actions. We have got an immense army of invasion standing on the borders of India. Inside the country we have got differences between the communities which are well nigh irreconcilable. The Congress, the biggest organised political party in the country, will not depart from its traditional policy of self-abnegation. The Muslim League will not co-operate with other parties except on impossible terms. The prestige of the ruling race is at its lowest depth for reasons on which I need not dilate. Hatred of the British has gone deep down and now permeates the entire masses of this country. Britain had never statesmanship enough in dealing properly with the non-white races of the Empire. She had always relied on a policy of somehow muddling through. Today when the aspirations of the people are at their highest pitch British statesmanship has nothing to offer but the abuses of Mr. Churchill and Mr. Amery. Does Mr. Churchill envisage the national resistance of India against the Japanese invasion?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not really speaking to the Resolution.

Pandit Nilakantha Das: Let me now address a few words to my countrymen on this occasion?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must confine himself to the Resolution before the House. He cannot go into all sorts of political questions on this Resolution.

Pandit Nilakantha Das: I am coming to sabotage.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not doing that. He is referring to matters which are not relevant. I can allow a certain amount of prefatory remarks but within due limits.

Pandit Nilakantha Das: All right, Sir. But there should be response from the side of the Government. Co-operation cannot be one-sided. I have framed my amendment in a way which no decent Government with a reputation to lose can object to. Whether allegations of excessive use of force are well supported or not is for the Government to judge. It is for the Government to appoint judicial officers who will make the investigation. It is the Government that will punish those found guilty of excesses. I ask the Government to ponder seriously over such a mild proposition. If they oppose such a proposition as this then the Government will plough their lonely furrow in the wilderness and will reap the harvest of blood and blaze.

One more word about the amendment and I have done. I do not think that a peripatetic committee consisting of the members of this House of Legislature is the proper body to enquire into the allegations of the use of excessive force by police or military. Such investigation should be entrusted not to politicians but to Judges trained by long experience to weigh in scales of justice the evidence before them. My amendment, therefore, calls for investigation by judicial officers of high standing and qualification. In my amendment, perhaps the word "Tribunal" is not very appropriate. This may in its implication mean something which may not be very convenient for the Government to appoint. So, I even agree and concede that the word "Tribunal" should be deleted. I shall drop it from my amendment if the Government care to consider my amendment favourably. I shall substitute for the word "Tribunal";

judicial officers of standing should be appointed to enquire into any alleged excesses which are found to be well based by the Government, and for which there is a *prima facie* case made out. So, I say the Government will have to do all these things, appointment and punishment; and whether the allegations are *prima facie* well founded will be for the Government to judge. My amendment is so simple and so mild that if the Government do not accept an amendment like this, it must be said that they never accept the hand of co-operation. They only want "yes"-men in this country and not men who are out to co-operate. With these words, I resume my seat.

Mr. President (The Honourable Sir Abdur Rahim) : Honourable Members are aware that on Friday the Assembly usually adjourns at Quarter to One of the Clock in order to enable the Muslim Members of this House to say their Friday prayers. But now when the time has been advanced by one hour and the Assembly is sitting according to the new time it will not be convenient for the Muslim Members to say their Friday prayers and return to the Assembly in time for the remaining business. The Friday prayers are held not according to Greenwich Time but according to the position of the sun on the horizon, and it is, therefore, the desire of the Muslim Members of the Assembly that the Assembly should now-a-days adjourn on Fridays at 1-30 p.m. and meet again at 3-0 p.m. I understand Syed Ghulam Bhik Nairang has consulted the Leaders of Parties and they are agreeable to this suggestion. Does that suit the convenience of the House? (*Voices* : "Yes. Yes.") Then the House will adjourn at Half Past One and meet again at 3 p.m.

Sir Muhammad Yamin Khan (Agra Division : Muhammadan Rural) : I should have thought that after a lapse of such a long time this matter will not come before this House and when the normal relations are being restored in the country this Resolution may not be debated in order that it may not create some kind of excitement again. But the harrowing tales, which have been told by Mr. Neogy, are of such a nature that they cannot be brushed aside, and it has been the policy of the Muslim League that they do not tolerate and cannot allow excesses by any party whatsoever, whether those excesses have been committed by the hooligans in August last or those committed by the people who were in charge of keeping law and order. We have been told—I do not know how far they are right or wrong,—but a Member of the position of Mr. K. C. Neogy has made those allegations before this House, and today I find that certain allegations have been made by Mr. Jammadas Mehta, who is a member of the Defence Council. When the allegations come from Members of that status, they require some consideration, and we cannot say that they are all false, and there should be no enquiry into those excesses. After all it is the Government who is responsible to keep law and order, but at the same time it is the duty of every civilized Government to keep their employees under proper control so that when they are sent out to deal with disturbances they should not lose their heads. We find that there is some justification for getting a proper enquiry made by the Government. We do not want this matter to be left to future Governments to appoint committees later on to go into these incidents, and let the bad spirit continue as was evidenced after the Jallianwala Bagh incident. We do not want a repetition of that kind, nor do we want the same spirit to prevail in the country in future. At the same time, we cannot ignore the position which has been taken by the Honourable the Home Member. He gave us a full and detailed report of the excesses committed by the other side—the hooligans. And we know, as public men, not only what he gave us, but what appeared in the press—mostly in the papers edited by the partisans of the Congress—giving accounts of people who were burnt alive, the soldiers and police being attacked, and certain police officials being burnt alive. After all the police and the officers who had to deal with these disturbances were human beings—and they are not very highly paid officials, either—when they

[Sir Muhammad Yamin Khan.]

find that an attack is made on their class, naturally what is expected of people of that status would come from them also. Therefore retaliation and excesses might have been committed by them in return. But even if they have committed excesses in return, we cannot ignore the fact that the perpetrators of the first act of excess was the other party, and the blame, therefore, ought to be apportioned on all sides and not thrown on one side alone. I quite agree with the Government position that if we make enquiries into everything which is done by an official after the disturbances are over, and his action is questioned later on, nobody will be willing in future to do anything under those circumstances. And, therefore, it is really right and proper that an enquiry should be made into the allegations which have already been made before this House, and this position is strengthened by the communique which has been issued by the Government of India recently on the correspondence which took place between the Viceroy and Mahatma Gandhi. Mahatma Gandhi in his letters has denounced the reports

Mr. President (The Honourable Sir Abdur Rahim) : I think the Honourable Member must confine his remarks to the subject of the Resolution. There will be plenty of occasions for discussing all these political questions. That is not the Resolution now before the House.

Sir Muhammad Yamin Khan : I am only justifying the amendment of Dr. Sir Ziauddin, which I am supporting.

Mr. President (The Honourable Sir Abdur Rahim) : It has nothing to do with Mahatma Gandhi.

Sir Muhammad Yamin Khan : I am only illustrating my point by telling the House that he takes up one position. And Government position is different, they do not accept the attitude taken up by Mahatma Gandhi. Therefore, in order to convince Mahatma Gandhi and his supporters that really the blame lies on them, it is necessary that a judicial enquiry should be held. Such an enquiry will reveal clearly as to who committed those excesses, and we will know whether the blame lies on the organization which is led by Mahatma Gandhi himself or the Government. Therefore, in this respect the only way open to us is that we should accept the amendment moved by Dr. Sir Ziauddin, namely, that not only an enquiry should take place into the excesses committed by the Government officials but also into the excesses committed by the other side. I think there is justification for this House to ask for such an enquiry, for we are convinced that though the fault lies on the Government side to a certain extent, there lies a greater fault on those people who allowed the Government to take that step. We are convinced that there has been a great dislocation of work and there has been a great loss of life and property in this country on account of the action of certain organization which deliberately wanted to thwart and coerce the people and the Government into submission to their views.

This is the position that has been consistently taken up by the Muslim League, viz., that the object of that organization and that movement, and all that took place after the 9th August was meant to coerce the Government into conceding the demands of that organization, and we still hold that view. And if it is required that this should be established by a tribunal we are prepared to lend our full support for that, and if the amendment of Dr. Sir Zia Uddin Ahmad is accepted by the Mover, then we shall certainly vote for the amended Resolution. In that case I think the Government should have no objection to showing their *bona fides*, viz., that they are prepared to meet and take up the responsibility which lies on them and to deal with their subordinates who violated their orders or exceeded the limit. At the same time, to convince the public and the country and those people who did not take part in that agitation and who suffered on account of that agitation, it is necessary that an impartial tribunal should give its verdict. Everybody

will be satisfied by that and that is our position. If our amendment is accepted by the House then we vote for the amended Resolution, otherwise we are sorry that we cannot support either the Resolution as it stands, or the Resolution as amended by the other two amendments. That is my position. I support Dr. Sir Zia Uddin Ahmad's amendment.

Sardar Sant Singh (West Punjab: Sikh): Sir, an important statesman once said: "Truth is a first casualty in war". Probably it is as much true in the case of disturbances as in the case of war. We are familiar, Sir, with the war propaganda carried on by both the combatants, and there is not a man, in the world I should say, who believes in its entirety the propaganda carried on by any combatant. Similar seems to be the case in this House. The Government has taken up the attitude that as the mob has committed excesses, therefore we are bound to maintain law and order. If they had gone a bit further and had said that in punishing the excesses they did not pay any regard to the law of the land, and thus equally committed excesses, the position would have been understandable. But this is not the position taken up by the Government. I find, Sir, that in the course of the debate during the last Session, the Honourable the Home Member said then that—

"If any such act has occurred anywhere, it is a breach of discipline with which the Provincial Governments and the officers in command of their forces are as much concerned as any member of the public. The proper course in such cases will be to bring the allegations if they are well authenticated (*this is very important*) to the notice of the authorities immediately responsible for the discipline of their forces, and it can be assumed that if they are satisfied they will do what is proper."

Now, that was the position taken up. May I remind the Honourable Member that about five months have elapsed since Mr. Neogy gave the details in this House. Has he taken any step to find out whether those details and facts were correct or incorrect? Has the Government issued any communique during that period of five months, explaining the position that the Government, in their capacity as members of the Government—and I hope as members of a civilized Government—enquired into the allegations made publicly on the floor of this House, and that they found them either exaggerated or unfounded? No. Why, Sir? The issue which requires to be decided between the Government and the people is this. Is it maintenance of law and order—which is, of course, the function of any Government, whether civilized or barbarous—or is it the policy of frightfulness indulged in for motives other than the good administration of the country? The charge is that the Government have indulged in a policy of frightfulness. They want to terrorise the people into submission. They are not maintaining law and order. I appeal to my friend, the Honourable the Law Member, because he is the proper authority to maintain the rule of law in this country, whether he agrees with me or not in this proposition, *viz.*, that the law applies to the offender, whether he is a member of the public or a member of Government? Does it or does it not hold good? The Honourable Member, Sir Sultan Ahmed, says it does. If it is so, may I ask him then how does he justify his own speech which he made on the 24th September, 1942, wherein he said:

"The main objection to the proposal, as I have submitted before, and I am glad my honourable friend, Sir F. E. James, has quoted it, is the disastrous effect it would have on the morale of the service concerned if an inquiry, such as has been suggested, was ordered.

How is it consistent with the rule of law in the country? In his speech further on he has taken his stand with the Sind Government when he says:

"It is interesting to note that the Sind Government which had held an official inquiry into certain allegations against the police in Karachi, which incidentally turned out to be completely unfounded, reported that it had immediately an adverse effect on the morale of the police force in that area."

To me, the position of the rule of law is directly antagonistic to the principle of the policy that has been enunciated in his speech. The Honourable Sir Sultan Ahmed says: "No." I will wait to listen how he reconciles these two

[Sardar Sant Singh.]

positions. To me they seem to be irreconcilable. Before I go to give some instances of excesses committed, may I ask him one question? Is a police sub-inspector who commits dacoity or the military indulging in indiscriminate loot and plunder—are they not offenders in the eyes of the law? If they are offenders, do not the penal provisions of the country apply to their acts, or do they hold any privileged position in the eyes of the Government? That is the point which requires serious consideration of any Government.

Now, I come to the facts. What has happened in the country? I will quote from some documents which are authenticated. One is a memorial submitted by a retired sub-inspector of police to His Excellency the Governor of the United Provinces. Therein—I will read only the relevant portion—he says:

"In spite of the fact that Your Excellency's memorialist and his whole family are faithful and loyal subjects of the Government, his country house at village Sherpur Kalan, police station Mahmudabad, district Ghazipur, was, along with others, burnt to ashes and all his other movable property, namely, 25,000 rupees in cash, 10,000 rupees by way of gold and silver ornaments, 10,000 rupees by way of clothes and furniture and 2,000 rupees by way of damages to the house, were looted away and destroyed by the military under the direct command of the district authorities, leaving the family in utter ruin and despair."

Further on he says that not only the cash tempted our brave soldiers fighting against unarmed civilians, but look at the mentality which prompted them to burn to ashes all the important and valuable documents, mortgage deeds—both registered and unregistered—and throw away the key of the iron safe, which they had forcibly taken away from the inmates of the house, into a deep tank. May I ask if this is not a specific instance? The date is not given in the copy, but this memorial has been submitted to the Government. May I ask the Honourable the Home Member, when he gets up to give some reply on behalf of the Government—which I hope he will do—has any action so far been taken on this memorial and any inquiry made by any official and any conclusions or findings reached on it?

The Honourable Sir Reginald Maxwell (Home Member): Which memorial?

Sardar Sant Singh: This memorial, which I have read, from Suraj Narayan Rai to the Governor of the United Provinces. I can send him a copy if he needs it.

Then there is another signed letter which is in Hindi and which has been translated for the purposes of this debate; it is from Mr. Jagannath Rai of the same village. He says:

"The senior police inspector accompanied by a posse of constables made their appearance in my village and indulged in acts of loot and pillage. None dared oppose them because the people were assaulted, fisticuffed, prodded with the butt end of the guns. Many people fell down unconscious as a result."

Further on he said that the people killed in the firing were thrown into the water, although some of the victims were still alive and could possibly have been saved on receiving proper treatment. Further on the allegation is that a woman was molested and her house was looted and set on fire afterwards. This state of things continued for two days in Arrah and other villages. The villagers were robbed of their property and even horses and elephants were not spared. . . .

An Honourable Member: What was done by the horses and elephants?

Sardar Sant Singh: This should be known to the commander of the military who took them away. Then there is another letter from one Shri Ram Chopra, a Government pensioner of the Punjab Police. It was addressed as an open letter to the Honourable Sir Firoz Khan Noon, Defence Member of the Government of India, New Delhi, and copies were sent to the Honourable Mr. Aney, Mr. Sarker, Sir Shadi Lal and others. This too contains a description of the manner in which. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sardar Sant Singh: I will finish. The disturbances were quelled. . . .

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural). Where?

Sardar Sant Singh: Here at Delhi. In the end, may I ask the Honourable the Home Member this question? These things are alleged by one side and denied by the other. How is the public to judge? If they are to be judged by any method, it is the method of inquiry. Why do they shirk inquiry? Will he please tell us what are the worse methods which Nazism indulges in in punishing persons who are against Hitler and his colleagues? If these methods have a family likeness with those of Nazism, will he tell us how does he defend the war in the present stage? That is the pointed question which I place before the House

Mr. T. T. Krishnamachari (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Mr. President, I rise to support the motion of my honourable friend, Mr. K. C. Neogy; and as I do not feel called upon to ingratiate myself into the good graces of those in authority, I am unable to accord the same support to the amendments moved to this Resolution. Sir, reading the report of the proceedings of the previous day, I see that the province from which I come finds no mention in the various occurrences that have been detailed in the speeches of the Honourable Members who spoke then. Madras is far away. We have no Provincial Government which affords an opportunity to express the people's grievances, because the province is being ruled under section 93; and so I am taking this opportunity to ventilate the grievances of the people of my province, which the Resolution seeks to bring to the notice of the Government

The Honourable Sir Yamin Khan mentioned that a long time has elapsed since the Resolution was moved and time as the healer of many things must be allowed to function normally. But in the present case the offence is a continuing one. The acts of the police and of the military have created such a terror in the minds of the people, made them completely silent and dumb, made them put up with all the atrocities of the local police without complaint, and unless some relief is forthcoming, some gesture is forthcoming from the Government to the effect that they do not wish to countenance this kind of atrocities or encourage such atrocities on future occasions, the morale of the people will indeed be affected and to that extent the war effort on which every Member of this House appears to be keen will suffer.

There are two aspects to this question, Sir. One is where there is a particular outbreak, in the act of quelling that outbreak there may be police excesses. Well, perhaps, in a case like that police excesses can be justified to a certain extent. But, Sir, there is the other aspect of the question. There is a continuous movement on the part of those in authority to terrorise people into obedience, to take reprisals against acts of sabotage from which particular localities have suffered, which people of those localities are said to have indulged in. It is this aspect which is more frightening than the first one. We in Madras are accustomed to police shooting in the past—in the past, unconnected with the movement that is supposed to have been launched in August last. We have had occasions when unarmed crowds have been shot down, but since those occurrences have taken place during war time no redress of those grievances was vouchsafed to us. We are accustomed in the past to that peculiar technique which has been evolved by the police in Madras called the lathi charge—lathi charge which has frightened people in the past—as long back as 12 years ago when the non-co-operation movement of 1931 was in progress. But the new method of terrorism indulged in by the police for the punishment of offenders is something totally new to us. It is a fact that in Madras we did not have military firing on occasions when there were outbreaks or subsequently thereafter. We have, however, a special branch of the police called the Malabar Special Police,—a police which are quasi-military, and who

[Mr. T. T. Krishnamachari.]

are so wholly kept away from the people of the country that they could be as ruthless as, if not more ruthless than, the military. In my own province, in the district which I have the honour to represent on the floor of this House, there have been occasions when police excesses had been so great that they have terrified the people of the entire district. In Tanjore there have been instances of firing, not only in the town of Tanjore, but in Kumbakonam, in Mannargudi, and in the suburbs. And on what account? To disperse the crowd. No enquiry was made whether the firing was justifiable, because the police had always held that the prestige of the Government would suffer, that the morale of the officers who were carrying out the work of keeping the peace in the country would suffer. That has been the age long cry of British Imperialism in this country and it is still being used to-day, notwithstanding the fact that we have wise and patriotic Indians on the Treasury Benches. Another instance is that of the district of Ramnad where the worst type of police atrocities have taken place. There villages were burnt. Thatched sheds, huts were burnt during the absence of the male members of the village, and it is said that women also were molested. The matter was put before the local police officers; some of them had the decency to admit, "Reprisals we have to carry out. Otherwise we cannot put down this movement". A distinguished police officer in my province has said that hooliganism must be met by hooliganism, but they would not admit that there have been occasions of molestation of women. In the town of Madura I have heard of a well authenticated report of bad handling of two women. Two women were taken away by the police, stripped of their clothes, dressed in rags and then left on an open road 12 miles away from the city, and it is said that that particular action on the part of the police has evoked a reprisal from the public, the sequel to which is now a matter under the consideration of a judicial tribunal. Again, further south in Tinnevely similar instances have occurred. Villages after villages have been looted. Thatched sheds and huts have been set fire to, and there has been no enquiry of any sort. I can take the House into my confidence and say that a very highly placed person in my own province had approached the highest authority of that province and told him, "these are the instances we hear. Why don't you investigate? Why don't you, when you go about, call some non-officials and find out the truth? That at least will put the fear of God in the minds of the police". There was no response. It is not merely in these districts that I have mentioned, that such things have happened. In other districts as well, in the Andhra districts, in the Ceded Districts, in the district of Guntur, in the district of Coimbatore such acts of terrorism have taken place, and only for the purpose of terrorising people into obedience and to prevent them from resorting to acts of sabotage which they are reported to have indulged in.

Is that really the policy of the Government? The resolution of this Government issued after the arrest of the Congress leaders seemed to indicate that punitive action will not be taken. But what is this? This is not perhaps punitive action, then this is sheer terrorism. The result of it is, as the House will understand, that if there is a movement it will be driven underground, if there is no movement people will be hardened against the Government. And that is the feeling of the people to-day in my own province at any rate.

I shall not appeal to the Treasury Benches in the name of fair play. I shall not appeal to them in the name of the standards of justice for which great nations of the world are supposed to be fighting. But I shall appeal to them this way. I shall tell those people of my own colour, people who are sons of the soil, that they have to sit up sometimes and see that some remedy is vouchsafed to their own people who are suffering, who have been stricken down by these acts of terrorism. The members of an alien bureaucracy who are not natives of this country might feel in the same way as Madame la Pompadour, after us the deluge; but people of the soil cannot afford to do so. The deluge will come and will overtake them. They have got to be here and with us, they will have

to sink or swim with us in the deluge. I appeal to those wise and patriotic Indians on the Treasury Benches, pull your weight to see that something is done. Some enquiry is instituted, some courage and hope is infused in those people who have been terrorised into abject obedience. In my province no meetings are possible, there is a ban everywhere, we cannot have even meetings where Gita can be expounded. The District Magistrates use the Defence of India Rules for the purpose. We cannot write to the newspapers, as newspapers won't publish them. How else are we going to ventilate these grievances except in this only forum which is vouchsafed to the people of this country, and that is why I have asked your permission to stand up and support this Resolution of Mr. Neogy for an enquiry, whatever may be the method of enquiry. It is not the method that counts; there is no use saying that Members of the Legislative Assembly as a peripatetic body cannot go round and make enquiries. Certainly individual members of the Assembly can be associated with the inquiry whatever its composition. If you do not ask for individual members of this House to be associated with the inquiry, you know what the Local Governments will do. What is the use of a judicial tribunal unless individual non-officials, proven in the service of the country, are not to be associated? That is why I feel that the only Resolution that could be accepted by the people is the Resolution moved by Mr. Neogy. If accepted it would infuse courage into the people. Whittling it down will not help. Of course we condemn these outrages. We might deplore them, but what I would urge on the Members of this House is the central point in the Resolution. Accept the Resolution as it has been moved by the Mover or reject it. If you whittle it down and tell the Government "We have been your supporters. Do something for us", it is of no use. The time when that method was fruitful is gone. There is no use going to the Government and saying "We will ingratiate ourselves into your favour". What we really want is some gesture, some method by which the Government will tell the people "We will assure you some kind of justice. We will see that the excesses are not continued".

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. T. T. Krishnamachari: I shall finish soon. No matter what has happened in the past, we want an assurance for the future and that assurance can only be vouchsafed by an inquiry into the excesses of the past. Sir, I support the Resolution moved by Mr. Neogy.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Syed Ghulam Blik Nairang (one of the Panel of Chairmen) in the Chair.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, the use of force can only be justified when those who wish to establish order have to deal with a riotous assembly, and the use of firearms can only be justified when those who wish to establish order and preserve peace are in such a position that their lives are in danger. If none of these conditions can be satisfied, then resort to arms cannot be justified. There are certainly cases which have occurred and I am going to cite them and they can only be designated as cases of murder.

Now, I am going to cite some instances in Nagpur. For instance, milkmen coming from the suburbs in the early hours of the morning were shot at by the military men. Mind you, the suburban people are not expected to know any curfew order or any other orders that were promulgated. Not only was this curfew order which was issued in Nagpur not made known to these suburban people who brought milk and vegetables but even Government servants were not aware of it. I can cite the instance of a person who was connected

[Mr. Govind V. Deshmukh.]

with the Agricultural Department of the Government. He was connected with the breeding branch of the Agricultural Department. His boss was coming to Nagpur and he wanted to receive him at the station. The scheduled time of the arrival of the train was 5 O'clock but that day it was late. So, I told him that there was a rumour that a curfew order was going to be issued. He said, "Is it so?" I told him it was so. I was sitting at the house of a person who is a very responsible person; he is doctor and he was a Member of this Assembly, I mean Dr. Khare. So, the gentleman who wanted to go to the station to receive his boss got himself in touch with the police. The reply that he got from the police station was that they did not know but they promised to make inquiries and then let him know. The fellow waited for half an hour and got no reply. So, even the police did not know the promulgation of this curfew order. When even the educated people did not know anything about this curfew order, how can you expect the milkmen and the vegetable vendors to know about it? These milkmen come to Nagpur to sell their milk; they ride on their cycles and their cans are filled with milk. There was no earthly reason for shooting a man who was riding on a bicycle and carrying his milk cans. The next thing that I wish to say is this. The soldiers, whether Indian or European, who were employed to establish order or the officers who commanded them, did not care tuppence for the lives of Indians. When the disturbances occurred, I went to the city and there was firing going on. When the military came, there was no mob round-about those places and yet they started firing at random. I saw men coming in Dr. Paranjpye's hospital who were shot on all parts of their body. Among them were persons who were living in their houses and who were doing business in their shops. What earthly justification was there for using firearms against them? Not only that, even after the order was established, respectable persons were brought out of their houses to remove the refuse in the streets. So, it was not a solitary instance which Mr. Neogy quoted. I can say that this happened to the retired Government sub-assistant surgeons. The unfortunate part of it is that these people who suffered at the hands of the military will tell you in private all that happened to them but not in the public. Their idea is that they would go down in the estimation of the people. If there is a regular inquiry, they can come forward and speak the truth. There was a member of the Bar, who was treated in a very disrespectful fashion. The peons of Judges and other respectable persons were shot at. I know the case of a person who is now on the Bench and whose peon was shot at when he was returning from the Bank. When he wrote to the military authorities about the matter, they did not pay any attention to it. When cases like this do occur, they certainly impress the public and people begin to ask, as a friend of mine did ask, whether there is British Raj or Goonda Raj. These things are unjustifiable. Even ladies have suffered at the hands of the military. Of course, they are not prepared to mention their names because their self-respect is involved.

Now, Sir, after narrating these incidents that happened at Nagpur, let me come to Chindur. Things became so serious at Chindur that they have occupied the attention not only of the public here but also in England and other countries. This is a place which has made itself known. I have a Government communiqué in my hand. From this very communiqué I will point out that there are grounds for inquiry. What happened was this. There were disturbances on the 16th and the District Magistrate went there on the 19th. He took with him 200 British soldiers, 50 Indian soldiers and 50 men belonging to the reserved police force. They went there and what did they do? They started breaking open the houses and arresting men and the following night the women were molested. Force was used, the houses were broken open and the people were terrified. I can establish this from the statement which

was issued in justification of it by the Central Provinces Government itself. This is what the communiqué says:

"As the Deputy Commissioner points out, the force sent to Chimur was 'dealing with violent persons whose thirst for blood had not yet subsided' and who were concealing themselves in groups of 8 or 10 behind locked doors. In such circumstances, a certain amount of damage to property and rough handling were inevitable."

"The fact is clear. The comment which I wish to make is this. How could these blood thirsty men behind the locked doors confine themselves in the houses in batches? If they were blood thirsty men, they would be out to take somebody's blood. The Government says that damage to property and rough handling were inevitable. You have to prove that these things were inevitable. If you are not going to accept the statements which some of the ladies made and among them was included the wife of the ex-Governor of the Central Provinces and Berar and many of them were graduates, what earthly reason is there for us to accept your statement?"

• Then Sir, besides the allegations relating to Chimur incident there are other cases of molestation of women. What had the Government done? What is it that the Government says? It says we are not going to do anything. The reason is that names of women are not disclosed. Nobody comes forward to give out the names of persons. We cannot convict persons unless their names are known. It is no use to have any enquiry. What Government forgets and what we are claiming is this, that allegations against military and police are made by responsible persons. Government wish to disbelieve the attacks of military merely by saying that no name was given. They say the complaints of women are false. We say that there have been these acts, it is for you to prove that these are false. Hold an inquiry and prove the falsity of these; if you do not, then I feel justified in saying that these complaints are true and that the allegations that we have made are correct. Sir, I want to say one thing in justification of my proposition and that is this. You cannot disbelieve a statement simply because no names are disclosed. For instance, this National War Front issued a leaflet called "Hounded Eyes"; that gives an extract from a newspaper called *The Leader* of Allahabad. It contained an article or an extract of article which said that some person whose name is not given, interviewed a person, whose name is not given, and complained that his wife was raped by a Japanese soldier. The woman's name is not given. This interview took place after many months of Japanese attack on Burma. I am prepared to believe it,—this statement that a Japanese may have raped this woman. Why should anybody blame us for not giving out names of women. Even in this article the names of persons are not mentioned. In the leaflet which has been issued by the National War Front no names are mentioned. They are carrying this propaganda. They want the people to believe this statement.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

Mr. Govind V. Deshmukh: Sir, having regard to the circumstances and certain customs of the society if at this stage no names of ladies are given we cannot say that these allegations are false. Why these complaints were delayed. The cases of violation and molestation occurred in August.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

Mr. Govind V. Deshmukh: One minute, Sir.

Mr. Chairman (Syed Ghulam Bhik Nairang): Well, I cannot extend the time.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, an identical question as is involved in this Resolution was brought before this House by the Government last Session, I mean the Autumn Session, and we were asked to consider a situation like the one we are discussing at the present time. The Government only let loose that Resolution in the House and later on we came here and delivered our lectures—nothing more than that came out. Nor was any proposition offered by the Government. But today the situation is different. At that time no remedies were suggested by the Government. But during the course of discussion on that Resolution certain remedies were suggested, still nothing has, so far, come out of that at all. My own suggestion was that the Governor General in Council should call a meeting or a Conference of the members of all parties, even those who were in jail, and then only after the whole matter was discussed the situation will ease and the disturbances and excesses—that we have brought to the notice of the Government—would come to an end. Nothing came out of that as well. I am now grateful to my Honourable friend, Mr. Neogy, for having put a concrete proposition asking that there has been excesses—too much excesses, a great harm has been done—let a Committee be appointed to enquire into the whole matter. According to this Resolution, what is wanted is the composition of a Committee with a majority of non-officials selected in consultation with leaders of the parties immediately to enquire into the allegations of excesses committed by the military and police in dealing with the recent disturbances in the country and report thereon. Now, this Resolution asks that a committee with non-officials selected be appointed to go into that question and in the meantime if the Government comes forward to admit that there are excesses then in that case there will be no need to appoint such a committee. The Resolution only demands the appointment of a committee of this Honourable House or at least the appointment of a Tribunal. Therefore, the demand in this Resolution is very reasonable, and if the Government is going to oppose it, then we think that Government knows that the officials have committed many actions of this kind of which they themselves should be ashamed. But they cannot be shielded from the public. The public knows it. On the contrary to soothe the public by proving there has been no excesses, they should set up an enquiry and bring to book the culprits, if there are excesses. Therefore this Resolution, as it stands, is all right. An amendment is proposed to this Resolution asking for a judicial tribunal being appointed. This is also all right. If a committee of non-officials is appointed, that will be quicker. A judicial tribunal takes a long time and also it is bound to be more expensive.

So far as the third amendment by Dr. Sir Zia Uddin Ahmad is concerned, it requires that enquiries on both sides should be made. That is to say enquiries should be made also into the disturbances and also into the excesses that have been committed in quelling these disturbances. My humble submission on that point is this. So far as the Government are concerned, they have taken hold of those criminals who have committed these disturbances and sent them to jail after trial, or detained them under the Defence of India Act.

Sir Muhammad Yamin Khan: A lot of those who committed these disturbances are still left unpunished. What about the Sub-Inspector's murder? Where are the murderers? They have not been punished.

Mr. Lalchand Navalrai: If the culprits are not traced, what can be done. The committee is not going to find them out. But the point is, one-sided enquiry has been made and people have been detained on the result of this one-sided enquiry. My point is that the criminal on the side of the Government who has been responsible for using excessive force must also be brought

to book. We are now asking for an enquiry into the military and police excesses in quelling the disturbances. In what manner the enquiry should be made is an ancillary subject. A Committee may be appointed of non-officials, or it may be a Tribunal of Justice. If the Government leaves everything in the lurch, it will not be creditable to it. So far as the excesses are concerned, nobody can gainsay the fact that there have been excesses. Even the Resolution says that an enquiry should be made over the excesses in the recent disturbances in the country. The Resolution admits there have been disturbances. But the point is whether the measures taken by Government to quell these disturbances were limited to the necessities of the cases or were in excess. On that point, we had given many instances at the time when this question was debated in the House last time. It was then conclusively shown that there have been many excesses. Government would not admit it, though they say there has been some excess here and there. I submit we have a strong case for showing that too much cruelty has been done in exercising the powers which the military and the police did. On this point, I will take only two factors, firstly, if there has been firing and if so, was it in excess or if there was any necessity for firing at all, and secondly, whether the punishment inflicted upon the people in the way of flogging young children and school boys, whether this punishment was in excess or not. These are the two points. On these, I do not think much evidence is needed. With regard to firing, I have in my hands a pamphlet written by Mr. R. N. Mandlik, a Member of the Bombay Legislative Assembly, a responsible man. He has given his own experiences of what he has himself seen. I cannot understand how the evidence of such a responsible man could be brushed aside. This gentleman, Mr. Mandlik asked constitutionally for the appointment of a Committee. The Bombay Government refused his request. Then, he found that when this matter was discussed in the Central Legislature during the last Session, the Honourable Mr. Aney gave expression to certain statements. According to the conditions laid down in those statements, Mr. Mandlik tried his level best to persuade the Bombay Government to make enquiries into the excesses that have been committed. But nothing has been done. In his pamphlet he says that he simply followed up what the Honourable Mr. Aney announced in the Central Assembly. The Honourable Mr. Aney said in this House:

"The Authorities had to meet an uncommon situation. It was not easy to put down riotous and rebellious people. In meeting the situation force had to be used and in the use of that force, a certain latitude had to be given to the persons who were on the spot. If, however, there were excesses, it was in the interests of Provincial Governments and Officers responsible for the discipline of the forces to take note of the facts and inquire into the complaints. I believe that complaints would be considered and grievances put right."

But they have not been put right. After exploring all other avenues to get a remedy, Mr. Mandlik has at last come to the Members of the Central Legislature to table this Resolution and bring the facts again to the notice of the Government and urge upon the Government to institute enquiries. If this modest demand is not agreed to, then woe unto the situation. With regard to firing Mr. Mandlik says:

"As a representative of the people in the Bombay Legislative Assembly, I did everything that was possible to be done in a constitutional manner to secure a Judicial enquiry from Government into the alleged wanton firing at Poona on the 12th August, 1942, by the Military and at Nandurbar on the 9th September, 1942, by the Police. At Poona among others, innocent housewives were shot dead, not on the street or in the midst of the mob, but in their homes!"

Is this not a tragedy? Last year, I also mentioned that in Karachi, the excesses went so far that when small boys were taking a procession or something and when they went into their houses, they were pursued by the police into their houses and they were beaten. Is it possible that the steps taken by Government to put down the disturbances were in any way lenient? So far

[Mr. Lalchand Navalrai.]

as firing is concerned, it cannot be justified on any ground. He further on says:

"At Nandurbar, the police are alleged to have opened fire, without a warning, on a peaceful procession of school children! In this firing four school boys of ages between 8 and 15 and one college student aged about 20 were killed and about 12 persons were wounded among whom is a girl 8 years old."

What more should I say?

With regard to flogging, here is what appeared in the press regarding flogging in Sind. I was very sorry when the War Secretary came forward to say that these boys were given cane stripes only. It is not so at all. I challenge that statement, and propose that an enquiry should be made into this.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

Mr. Lalchand Navalrai: I am finishing it, Sir. The manner in which these school boys between the ages of 11 and 14 years, excepting one of 18, were flogged was this:

"They were stripped naked before their comrades and tied to a 'tik-tiki' and then flogged on the thighs by a sepoy or a 'mukadam'. The cuts were sharp and severe and they did bleed."

Mr. O. M. Trivedi (Secretary, War Department): I challenge that.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member must finish his speech. His time is up.

Mr. Lalchand Navalrai: I submit, Sir, that this is a very great excess and a committee should be appointed to go into this.

The Honourable Sir Reginald Maxwell: Sir, in his speech this morning, my Honourable friend, Sardar Sant Singh, asked what steps Government had taken to investigate the allegations made in the course of the debate at the last Session. I can assure him that we have not been idle on that point, and that copies of the debate have been sent to the Provincial Governments with a view to the verification of such cases as was possible. Of course, no investigation can be made, or expected, of wide and sweeping allegations, such as that the police generally indulged in random firing, and so forth. No investigation is possible of anything which is not sufficiently definite to enable somebody to go and find out whether this or that took place at all. In so far as specific allegations have been investigated, and I have information about them, I am in a position to assure the House that nothing has come to notice as a result of the last debate in which the allegations were entirely substantiated. The enquiries show that most of the allegations either misrepresented the facts or represented only one side of what occurred. And in some cases investigation has failed to reveal any incident of the kind described to have taken place at all.

Of course I am not in a position to reply to allegations made in the course of today's debate, because they could not be referred to Provincial Governments. But I can give one or two instances showing the kind of results revealed by investigations on assertions that were made on the last occasion. **Mr. Jamnadas Mehta**, for instance, has referred to the Nandurbar case which was quoted in **Mr. Joshi's** speech. What the House was told failed entirely to bring out the fact that the police had to deal with an excited mob of about a thousand persons armed with sticks. The police ordered it to disperse several times, but that had no effect. They then arrested the leaders and they were escorting them to the police station but they lay down on the ground and refused to move. At the same time stones were thrown at the police and a Sub-Inspector was attacked and stabbed in the eye and abdomen. It has been stated that this was a stone thrown by some enemy of his. In fact, this Sub-Inspector had only been transferred to that Police Station—not

even in Nandurbar but in Sakri—in August. He had never been to Nandurbar and the people there did not know him and there could not have been anybody there who could possibly have any grudge against him. Then, finding that the lives of the whole police party were in danger, the Resident 1st Class Magistrate, who was present on the spot, ordered the Police to open fire after warning the crowd, and as a result of that in all 19 rounds were fired, 14 persons were injured of whom 5 died but only one of those killed and 3 of those injured were under the age of 16. We were told that the police fired wantonly on merely a students' procession or a boys' procession. That will show to the House that there was another side to the matter. I do not at all doubt the sincerity of my Honourable friend, Mr. Jamnadas Mehta, who referred to this incident this morning, but, after all, he was not present on the spot. He can only give the House what he has been told.

Mr. Jamnadas M. Mehta: I have seen some of the injured who were still alive.

Mr. K. O. Neogy: But was the Honourable Member himself present on the spot?

The Honourable Sir Reginald Maxwell: Of course I was not.

Mr. K. O. Neogy: Then, is his testimony any more reliable than that of Mr. Mehta?

The Honourable Sir Reginald Maxwell: I warn the House of the tendency which arises in such cases for persons to make a story of police excesses in order to create a diversion. When some one goes afterwards to the place to find out about the matter, these stories are presented to him with all appearance of sincerity and he may believe them, but at the same time here we have a well authenticated case of firing under the orders of a Resident 1st Class Magistrate.

There was another case of which mention was made in the previous debate about a notice under section 80 from a Zamindar of Ghazipur. That was told by Mr. Neogy. But his story of the matter, which he gave to the House, entirely omits to mention that a mob of 600 persons from that and other villages were attacking the police with lathis and that is why the police and military had to open fire to disperse them. . .

Mr. K. O. Neogy: And set fire to the Houses. . .

The Honourable Sir Reginald Maxwell: This point was omitted from the story given to Mr. Neogy.

Mr. K. O. Neogy: What about incendiarism, looting and occasional raids. It is a sense of shame.

The Honourable Sir Reginald Maxwell: Mr. Neogy mentioned four cases from Cawnpore in which he alleged that excesses had been committed. His allegations were based on letters which he had received from other persons and did not purport to give his personal knowledge of the matter. Of these four instances, not one has come to the notice of the Provincial Government. The position taken up by Government in the previous debate was that if well supported allegations are made to the Local Government, that Government will be as much interested as any member of the public in investigating them. But if such allegations do not reach the Provincial Government, how can it be expected to do anything. One can presume that if no complaint was made to the Provincial Government nothing of the kind took place.

Mr. K. O. Neogy: They do not enjoy any confidence. The Honourable Member knows it very well. Who trusts them?

The Honourable Sir Reginald Maxwell: There is another case mentioned by my Honourable friend, Mr. Joshi, about the Manager of the Gandhi Ashram, Meerut, who was alleged to have been attacked by a police party

[Sir Reginald Maxwell.]

together with the persons associated with him, and it is stated that the Manager was subsequently shot. This again has not come to the notice of the Provincial Government at all. No such complaint has been made to them. All I can say is, therefore, that the presumption is that no such thing occurred: but at any rate Government are clear in the matter. We have said that well supported allegations will be investigated. Well, if they are not made it is not our fault.

Sardar Sant Singh: What can you say of a Government which does not even know about the firing!

Mr. K. O. Neogy: If you care for your reputation you should yourself investigate them.

The Honourable Sir Reginald Maxwell: As regards the general allegations the Government position was stated very clearly by my Honourable Colleague, the Law Member, on the last day's debate on this Resolution. Government stand entirely by what he then said. I must repeat that Government deny altogether that there has been any general policy of frightfulness, such as Mr. Jamnadas Mehta asked us to repudiate. I fully repudiate any such thing. There is no general policy sanctioning the use of excess force.

Mr. Jamnadas M. Mehta: Is there any particular policy?

The Honourable Sir Reginald Maxwell: Certainly there is. The policy is there and it is that the force used must be such as is sufficient to restore order.

Sardar Sant Singh: The Nazis say the same thing. They say it no differently. The question is how do the people feel.

The Honourable Sir Reginald Maxwell: If excess force or unjustifiable action has occurred anywhere, I can only say that it is not part of any general policy sanctioned either by this Government or by any Provincial Government.

Sardar Sant Singh: Why not make an enquiry?

The Honourable Sir Reginald Maxwell: And, therefore, instances in regard to which any complaint may arise must be regarded as isolated instances and dealt with as such.

Pandit Nilakantha Das: Have there been such instances?

The Honourable Sir Reginald Maxwell: Certainly. I will come back to it in a moment. At this very moment, so far as my information goes, a number of cases against policemen are under investigation, or action has been taken, in various provinces. I have not yet got the full particulars of these cases. But, for instance, in Bihar 13 cases, involving 35 police officers, are either being inquired into at this moment or are being tried. I am informed that in the Central Provinces one constable has been suspended and one dismissed. In the United Provinces there is a case in which five policemen are being tried on a charge of murder. In Delhi there is one case in which four policemen are being tried on a charge of murder.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Altogether how many scape-goats?

The Honourable Sir Reginald Maxwell: I have not complete statistics. I am giving the House instances to support what I have said, *viz.*, that the Government and the Provinces are in no way reluctant to take adequate action where the cases are properly brought to their notice and where investigation shows that they are well founded. But as I have said, these cases must be regarded as isolated instances. They are no part of any general policy and therefore, on that ground no case is made out for an all-India inquiry.

Now I would ask the House to be careful in judging allegations of excess force. The force used in any situation must be judged in relation to the situation with which the police had to deal. As I pointed out in my speech at the last Session, it is entirely wrong to speak or to regard the matter as though in all these cases the police were the aggressors and the persons who suffered were doing nothing, or carrying on some legitimate activity. In all cases which have come to our notice, and in which force has been used, the violence was on the other side. It was the mob who were the aggressors and it was the duty of the police to protect Government property, or to prevent their own party from being overwhelmed. It is very easy to judge these instances long after the event sitting in the comfortable safety of this House. Sir Muhammad Yamin Khan asked that the police should be kept under control and should not be allowed to lose their heads. But as I pointed out before, in situations of that kind where a small body of police is confronted by a large armed mob, you cannot expect the men on the spot to judge the amount of force necessary by a yard stick.

Sir Muhammad Yamin Khan: I did not use the word "police". I said those people.

The Honourable Sir Reginald Maxwell: Well, the debate relates to persons who did use force. Didn't it?

Sir Muhammad Yamin Khan: They were not always at fault.

The Honourable Sir Reginald Maxwell: I shall now give the House illustrations of the situations with which police parties had to deal.

At Katra in the Bihar Province, on the 15th August, an armed mob about 5,000 strong attacked the police station and assaulted the Sub-Inspector and his 8 constables before the police could open fire. The Sub-Inspector lay unconscious, one constable was killed and the remaining constables were disarmed and severely beaten. The rioters looted the police station and barracks and the Sub-Inspector's property, and finally set fire to the police station. If the police had fired on the mob, they would have been doing their duty and no more. This particular instance shows how wrong it is to say that the police should have withheld their fire. This was a case in which the police had not fired. They were overwhelmed and their police station burnt. There are many other cases in my hand here, but it is no use reading them to the house. There are many such cases of the same kind in which small parties of the police had to deal with very large armed mobs of an extremely violent disposition, and it is impossible for us to judge such cases by applying any standard of measurement to the force which was to be used.

Statistics up to the 30th November show that there were 49 fatal casualties among the police. Non-fatal casualties numbered 1,363. These would not include a number of unreported injuries. The number of police stations or outposts destroyed or severely damaged was 192, and the number of other Government buildings 494, not counting municipal property, schools and so forth. The number of railway stations destroyed or severely damaged up till the 31st December was 318: cases of serious damage to railway tracks were 108: serious damage to rolling stock 254: post and telegraph offices, sub-offices and so on, destroyed or severely damaged 309; other cases of damages to telegraphs and telephones 11,285. I may add that among the military forces there were 14 fatal and 70 non-fatal casualties inflicted by the mobs and nine cases in which military property and installations were destroyed or severely damaged.

I quote these figures in order that the House may realise the great seriousness of the rebellion and the extreme violence with which the Government forces had to deal.

[Sir Reginald Maxwell.]

Now, some of the allegations relate to the shooting of innocent persons including women and children. It is not denied that when mob violence necessitates firing, innocent persons may sometimes be injured or even killed. Actually I could quote an instance at Mahad in the Colaba district where a revenue head clerk was killed by firing by a police party because the mob had captured him and some other Government servants and put them in front as a shield when they were about to attack a *kutcheri*. These things cannot be helped. Many innocent persons suffer in such disturbances. But the position of Government is that no wilful action of this kind is part of the policy employed; and in regard to these allegations about women and children, I should like the House to remember on the other side the record of the rebellion itself in terms of injuries or loss of property inflicted on innocent persons and the loss of life, even of women and children, caused by bomb outrages. There again I can give the House numerous instances but time will not permit me to quote many. But I would like to read this instance. On the 23rd August in a place in the Monghyr district of Bihar rioters caught several men who had refused to join them and maltreated them. Three victims had an eye deliberately put out by a spear point, whilst a fourth had an eye burnt out. Four of these men had also fingers cut off and five of them branded. One subsequently died. As regards the bomb outrages, I will just quote one or two. On the 29th September 1942, a crude bomb thrown from the Cotton Exchange in Bombay city injured five innocent men. On the 4th October 1942, a bomb exploded in a gymnasium in Pandharpur town, killing one boy and injuring three others, one seriously. The boys were preparing a wrestling pit and finding an object inside they threw it to the ground and the bomb exploded. Another boy was killed while flying a kite on the top of a temple in Sholapur—he picked up a bomb and showed it to his friends and accidentally dropped it. Three boys received serious injuries and one succumbed later. Again on the 9th December 1942, a bomb exploded on the road in the Ahmednagar district and seriously injured three girls who were passing by at the time: one of them had her palm amputated.

I could quote many other instances of the same kind, and I would ask why is no inquiry demanded against those who are responsible for such outrages? Why do the movers of this Resolution concentrate on inquiries into the conduct of the police? Actually up to the 30th November, fatal casualties among the public caused by the use of explosives was recorded as 8 and the non-fatal casualties included 8 women and 17 children. I forbear to mention the number of passengers killed or injured in railway accidents—one was recorded only three days ago in the *Hindustan Times*. Even the amendments proposed by Mr. Bajoria and Pandit Nilakantha Das, deploring the occurrence of such things, demand only inquiry into the conduct of the police and the military. Dr. Sir Zia Uddin Ahmad's amendment is more logical on that point, but I have already shown that there is no case for an all-India inquiry into the conduct of Government servants.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

As regards the other side I have already informed the House in answer to a question that 26,000 persons have already been convicted by the courts up to the end of the year. Government do propose to make certain facts public, by which the responsibility for these disturbances can be judged. I have a document under preparation on that subject at this moment and I hope to make it public shortly. This will, however, be only intermediate information, such as can be given to the public now; and what further steps should be taken to bring home responsibility to those concerned in organising these disturbances must remain a matter for consideration. But one thing upon which the House will agree with me is that outrages such as those which I have described must be suppressed with all possible speed and by all measures available. I would

remind the House of the concluding words of my last speech in which I pointed out the extreme danger of allowing hooliganism to establish itself in this country and to produce a state of things in which no man's life or property was safe. Events, since I spoke, have confirmed my words and we have seen so many instances in which perfectly innocent people going about their daily occupations or travelling by rail have been exposed to those outrages. Effective measures cannot be taken against this kind of hooliganism if the immediate reaction of this House is to demand committees of inquiry. The idea that the police and public servants are the enemies of popular institutions and should be regarded with hostility by this House is entirely wrong. I would like to remind the House of what its own position would be without the maintenance of order and respect for authority. How far do Honourable Members think the writ of this House would run without firm and loyal public services and police forces? That is true in any democracy. But the House has had too much evidence in recent months to bring the point home to them. But for respect for authority and but for firm and loyal police forces, this House and its power would be of no account in the institutions of this country, and the only conclusion to which Honourable Members should come is that public servants should be supported in all legitimate action to maintain order. The effectiveness and even the existence of our constitutional machinery depend on them. I must, therefore, oppose any motion which creates the impression that the House desires to place those Government forces who have been instrumental in putting down these disturbances in the dock.

(Dr. P. N. Banerjee rose to speak.)

Mr. President (The Honourable Sir Abdur Rahim): There is only half a minute left, but the Honourable Member may finish his speech now if he likes.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, the original Resolution moved by my Honourable friend, Mr. Neogy, has the full support of my Party. The two amendments which have been also moved by members of my Party are not inconsistent with the original motion. They in fact make explicit what was implicit in Mr. Neogy's Resolution.

(It being Four of the Clock.)

Mr. President (The Honourable Sir Abdur Rahim): Mr. Jamnadas Mehta.

MOTION FOR ADJOURNMENT.

ANNOUNCEMENT *re* GRANT OF INADEQUATE DEARNESS ALLOWANCE TO WORKERS.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, I move:

"That the Assembly do now adjourn."

In doing so I want to make two or three brief observations. On the 23rd January, 1943, there was in the Gazette of India published the following information.

"The Governor General in Council is pleased to make the following further amendment to the scheme for the grant of dearness allowance to Central Government servants

And the amendment made is according to the three sub-divisions into which the Central Government servants were divided—in section A, those who are getting below Rs. 40 per mensem will be given Rs. 7 as dearness allowance. Those who are getting above Rs. 40 up to Rs. 120 will be given Rs. 10. In Area B which consisted of cities except Bombay and Calcutta and other urban areas, those up to Rs. 40 were to get Rs. 6-8-0, and those from Rs. 40 to Rs. 100 were to get Rs. 9. In Area C, which was described as rural, those up to Rs. 40 were to get Rs. 5 and those between Rs. 40 and Rs. 70 were to get Rs. 7-8-0. This was the dearness allowance that was announced on the 23rd January of this year in the Gazette of India of that date.

[Mr. Jamnadas M. Mehta.]

I submit that this announcement was faulty in two respects. The first is that the employees concerned have got their trade unions or employees' associations, which are recognised by the Government and in staff matters submissions are invited and considered. Representations are received and discussed and consultations are very often held. This is the meaning of recognition of employees' association. This is the meaning of genuine support for trade unionism; and the Government have times without number professed their belief in the virtues of trade unionism.

What happened on this occasion? The Government never consulted the unions which were most vitally interested, whether these additional scales of dearness allowance were adequate or were inadequate. In fact, consultation was being asked for. It was under discussion when and where consultation should take place. All of a sudden, without listening to the submissions of the employees, without even waiting for them, Government, in order to allay, as they thought, discontent, and to suppress what they thought agitation, came out with a *fait accompli*. This, I submit, is against all ideas of the usual relations between Government and the employees who are organised in their associations. In the last census—the present census figures are not yet available—in the last census the number of people employed in public administrations and public forces, was somewhere about 10 lakhs. If you increase the number of people who are in public forces that is, the police, air force, army, navy and others, the number may be larger. This does not include six lakhs of railway workers. So, if you really take into account every public servant, whether in the Central Government, the Provincial Government, municipal administration, local boards, improvement trusts, port trusts, my estimate of the number of employees is somewhere near 37 lakhs. If you add their dependents at the rate of four per every employee, then the number of people who maintain themselves by serving public administrations will be somewhere over one crore and fifty lakhs. Out of these, I am referring those who are organised in some way or other, unorganised I have not taken into account. I have not taken into account the railways. Only non-railway organised workers from *hamals* and peons to employees up to Rs. 250 who are in postal and telegraph departments, in port trusts, in income-tax, in salt, excise, in customs, in Accountant General's offices—all these told are not less than 3 lakhs of people, and if you add the number of their dependents at the rate of four, 12 lakhs are to be added, namely, 15 lakhs of people. The vital interests of such a large number of people were concerned and the Government have thought it proper to announce their decision about dearness allowance without consulting them.

Let us see why there is bound to be discontent. Government have announced—I have not taken into account what happened prior to this 23rd January, 1948—those who are getting up to Rs. 40 will get Rs. 7. That means they will get on an average about 21 per cent. of their actual salary. Now, according to the cost of living index recorded in the Bombay Labour Office, taking the cost of living of the poorest, the cost of living has risen by 103 per cent. Against 103 per cent., the dearness allowance given to the poorest is 21 per cent. That means, while food, clothing and residence and everything has gone up by 103 per cent., the compensation paid to these unfortunate people—the maximum is 21 per cent. When they needed five, they have got one, and this is the generosity of the Government towards these lowly paid people! I am not going into the salaries and emoluments of people from Rs. 40 to Rs. 120. They are as bad, some of them are even much worse, they get even less, till at Rs. 120 a man gets only Rs. 10 in Bombay and Calcutta, Rs. 9 in urban areas, and Rs. 7-8-0 in the rural areas as they are called. So they are expected to live on 20 per cent. of the actual rise of the cost of living which is 103 per cent. Four-fifths of the cost of living is not to be paid for. They are asking for no improvement in the pre-war condition. What is asked for is that they

should be placed, these low paid people should be placed in the same condition in which they were on the 3rd September, 1939. The Government of India say "No. We shall give them one-fifth of what they really need and deserve". Government cannot challenge the figures of the *Bombay Labour Gazette*. What other figures have the Government got? Two judicial pronouncements have declared that even this *Bombay Labour Gazette* index number of the cost of living is wide of the mark on the wrong side, that it is below the real rise by something 25 per cent. occasionally. Let the Government read the report of Mr. Justice Rangnekar and Mr. Justice Rau. They are not documents written by workers. They will find that even the *Labour Gazette* index number of cost of living is lower than the actual one.

Therefore, Sir, I protest most earnestly and most respectfully but none the less most emphatically against the conduct of the Government in trying to meet the poor with a *fait accompli* as if the Government were omniscient. It is a conduct worthy of the severest condemnation. Government ought to set a better example. They set an evil example by refusing to consult the people who are most vitally interested in the cost of living. They are thereby putting an axe at the genuine trade union movement in the country. The enormity of the Government conduct is not to be minimised from either point of view. They have laid an axe at the growth of trade union movement in the country, i.e., the unions whom they recognise and yet refuse to consult and, with the full knowledge of the fact of the cost of living index in their possession from the *Labour Gazette*, they refuse to give more than one fifth by way of dearness allowance denying the 4/5ths of the rise. And what is worse, they do not consult the people most vitally affected. I may quote for the benefit of Government the opinion of the most distinguished economic journal in this matter. It says that so far as those who are living on the verge of starvation, on the borderland of starvation, no matter what the rise in the cost of living is, it must be fully compensated. Let the Government note that this is the opinion not of a workers' organisation, not of a political agitator. This is the opinion of the most distinguished economic journal in England and that opinion is reinforced by the report of Justice Rau that those who are living on the borderland of starvation must be fully compensated, but the Government of India compensate them to the extent of 21 per cent., deny them even a consultation and think that they have done their duty. Sir, to say the least, this is not worthy of a Government which claims to be based on popular will. Therefore Government will have to admit that they have treated public opinion among the workers with perfect contempt, that they are not concerned in knowing what the real state of the employees is. They simply think of their own infallibility and their own omniscience, because Government will claim that they know more than we do. That is one of the claims of Government,—the claim to infallibility. If it was a matter between two powerful parties, I would not have minded. but it is a quarrel between those who are matched unequally. On the one side, there is the poor worker without resources, without anybody to back him up, and on the other side there is the most powerful Government in the country, against whom nobody can raise his hand, without suffering for doing so. In that unequal match, the present Members of the Executive Council who have had some experience of public life should have shown that they favoured consultation with employees' unions or associations, that they are prepared to give them every chance to be heard, that they will give them every consideration and show every solicitude for them; but in spite of nearly a dozen popular men, on the Government Benches, this most unhappy spectacle is seen that the wives and children of these unhappy men may go to the wall but no one bothers. These eleven Members are supposed to represent non-official opinion in the country and yet they showed the utmost contempt for the organisations by ignoring them. I am not saying that we should give them 50 rupees allowance. I am not saying that they should get any particular amount. All that I am asking Non-official Benches to appreciate is that Government did a

[Mr. Jamnadas M. Mehta.]

thoroughly arbitrary act, a wantonly unjust act in not giving an opportunity to the workers' organisations or their representatives to be heard and that without discussion between them, they announced a wholly inadequate and meagre allowance. Sir, I move that the Assembly do adjourn.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Assembly do now adjourn."

Mr. N. M. Joshi (Nominated Non-Official): Sir the policy which the Government of India has been following in dealing with the problem of giving compensatory allowances to their employees on account of the rise in the prices and the cost of living has been wrong and unsatisfactory in several respects. In the first place, although since the beginning of the war, the prices had begun to rise and the cost of living had become high, the Government failed to take notice for a long time, and then when they took notice of the rise, the steps which they took were insufficient and unsatisfactory. In dealing with this question last year, I think the Honourable the Finance Member said that he generally follows the steps taken by the Provincial Governments. It has been my experience that when one of the Provincial Governments does something right, then the Government of India expresses its unwillingness to follow the Provincial Government. Not once but several times I have stated in this House, that the Bombay Government in the matter of pension, has done some justice to their inferior servants and I asked the Government of India to follow the example of the Bombay Government. In that respect, the Government of India refused to follow the example of the Provincial Government, but when the Government of India feels that the Local Governments may not do full justice to their employees, then the Government of India is willing to follow the Provincial Governments. Sir, in this matter, the Government of India is not even willing to follow the Provincial Governments although the Provincial Governments are not very generous in these matters. In the first place, since the war started, the prices began to rise and the cost of living became higher but the Government did not take any notice of the rise in the cost of living till January 1941—a year and a half after the war had started. Then the Provincial Governments gave some paltry allowances. I do not wish to deal with the figures of the allowances which are very paltry. The Bombay Government gave an allowance of Rs. 3 in the Bombay city, and Rs. 2 in the other smaller places. Then the Government of India takes some time to move after the Bombay Government had moved, and then Government of India began to consider and think. Then the Bombay Government in 1942 increased the allowance from Rs. 3 to Rs. 4-8-0 and Rs. 3. The Bombay Government increased the allowance again, in July, 1942, to Rs. 7-8-0 and Rs. 5. Now, the Government of India thought that the allowances given by the Bombay Government were too high and they decided not to follow the Bombay Government. In the city of Bombay, the Bombay Government gave a flat rate allowance of Rs. 7-8-0. Then the Government of India decided not to give a flat rate, so that the least paid employee of the Government of India in the Bombay city began to get, I think, Rs. 6. So, the Bombay Government paid Rs. 7-8-0 and the Government of India, which was going to follow the Bombay Government, began to pay Rs. 6. Then the Bombay Government again increased the allowance in November, 1942, to Rs. 11 and in the outside places to Rs. 9. The Government of India then again decided not to follow the Bombay Government. My friend, Mr. Jamnadas Mehta, gave the figures. The least paid employee of the Government of India in the Bombay city gets Rs. 7, while the Bombay Government pays Rs. 11.

Mr. Jamnadas M. Mehta: So does the Bombay Municipality.

Mr. N. M. Joshi: Yes, so does the Bombay Municipality. I have now shown that the Government of India first said that they would follow the Bombay Government. I expected the Government of India to be a little more generous than the Bombay Government because their resources are greater. When they found that the Provincial Governments were giving allowances which, though not very generous, were a little higher than those of the Government of India, they gave up the policy of following the Provincial Governments. My friend, Mr. Jamnadas Mehta, has already stated that the Government of India should have the aspiration of being a model Government, at least model employers, because we do not expect them to be a model Government. The Honourable the Labour Member knows that in Bombay, even employers who do not aspire to be the model employers, I mean the mill-owners in Bombay, pay at present Rs. 20 or even more, as dearness allowance, and our Government of India which ought to be model employers pay Rs. 7, which is one-third of what the Bombay mill-owners pay. I feel that the Government of India must give up this policy. In the first place, the original plan of giving the dearness allowance at a flat rate, should have been followed. They gave up that policy. They began to give a little more to those who got higher pay and a little less to those who got less pay. That has been the wrong policy followed by the Government of India all through. That has been my complaint. You pay a little more to those who have got a little more. Ordinarily, you would like the Government of India to follow the policy of giving a little more to those who get less, but that policy the Government of India does not follow. I would suggest to them, to change that policy, and at least to keep up to their original plan of giving the dearness allowance at a flat rate, so that the lowest paid employee who is on the border line of starvation will get a little more in proportion. He will get the same rate of allowance but the proportion in which he will get the rate of allowance will be a little larger. I would, therefore, suggest to the Government of India to bring their allowances to a flat rate. Instead of paying Rs. 10 and Rs. 7 as different rates of allowances, they should bring the rate of allowances to a flat rate, so that a man getting Rs. 100 a month and a man getting less than Rs. 40 a month should have the same allowance. I am not suggesting that the allowance paid to the man who is at present getting a little more should be reduced.....

The Honourable Mr. M. S. Aney (Member for Indians Overseas): Would you agree to a mean between Rs. 10 and Rs. 11?

Mr. N. M. Joshi: I am stating my case that the allowance should not be reduced because it is too low. My friend, Mr. Jamnadas Mehta, has already shown that the cost of living index today has gone up to 108 in the Bombay city and the allowance you pay is only 20 per cent. or less than one-fifth of what it should be. Therefore, there should be no reduction, but the rate of allowance paid to the least paid employee should be increased and all the employees should be paid at the flat rate and they can at least go up as far as the Bombay Government and if they want to be model employers, then a little higher than the Bombay Government.

There is one more point which I would like to touch on this matter. The Ray Committee recommended that for every rise of 5 points in the cost of living an increased allowance of Rs. 1-8-0 should be paid. The Government of India should adopt that and increase the allowances accordingly. What is happening is that the cost of living goes up. Then there are complaints from the employees, sometimes threats of strikes or something unpleasant. Then the Government of India begins to consider; lot of time is wasted; discontent prevails. Therefore, the Government should accept the recommendation of the Ray Committee, in fixing some automatic increase for the allowances, in proportion to the rise in the cost of living. This will prevent or at least reduce a great

[Mr. N. M. Joshi.]

deal of the discontent which exists at present. I would like to draw the attention of the Honourable the Labour Member to one fact. There are some services or some departments of the Government of India which are regarded as essential services. He knows, at least he ought to know, that in the case of departments which are regarded as essential services, special restrictions are placed upon them by the Essential Services Ordinance. And, if the Government of India has placed upon these departments, which are regarded as departments of essential services, special restrictions, then the Government of India should give special consideration to these departments.

Sir, on account of the unsatisfactory policy which is being followed by the Government of India, even in the case of essential services, there is a great deal of discontent. Recently I attended one of the meetings of the postmen in Bombay. These postmen were so much harassed and oppressed by the smallness of the dearness allowance and even on account of the difficulty of getting grains even at a higher price, that they wrote a letter to the Postmaster-General, Bombay, saying that if their grievances were not looked into, they might resort to do something unpleasant. I do not myself like any servants of the Government of India or of Local Governments to give threats of unpleasant things. But although I was presiding over that meeting at that time, I knew the difficulties of these postmen and I did not like to tell them not to use those words. I know the Government of India objected to such threats and they have given them counter-threats. But that is not the right policy for the Government of India to follow. If you refuse to remove the grievances of your employees, even in essential services, for a long time, then, certainly they as human beings, may make a mistake and give you a threat. I would like the Government of India to appreciate the difficulties in which these people are working, and when these poor employees give a threat, the Government of India should not start giving a counter threat. On the other hand, they should be sympathetic and treat them with fairness and justice, if not with generosity.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Mr. President, the lot of the lower paid people in this country at this time of rising prices is really very pitiful. The dearness allowance which has been announced by the Government is really incompatible with the increased cost of living. I have heard with care and serious attention the speeches of Mr. Joshi and Mr. Mehta and I fully agree with the complaint made by Mr. Joshi that the lower paid people are given lower increments and the higher paid staff is given higher increment. This reminds me of an Arabian character commonly known as "*Havannak*". His occupation was rearing of goats. He had some fat goats and some thin and lean goats. He used to give more food to fat goats, but very small quantity of food to the thin ones. Once his friend told him, "Well, you are a fool not to look after the thin and lean goats". He further said, "you should give them more food than you are giving to those fat ones". *Havannak* replied, "Well, I am not fool it is you who are a fool." He enquired, "How?" *Havannak* replied, "Probably you don't know and I believe you don't understand the methods of God. When God made them thin and lean, who am I to make them fat. When God has given them this amount of flesh, what right have I to increase that flesh".

This is an interesting story, no doubt, but this is a very well known character, and people have begun to call a man a *Havannak*, when they consider him to be a foolish person. If the Honourable Members sitting on the Treasury Benches see to their actions so far as the grant of remuneration and increments to the lower paid staff are concerned, I am afraid, they fall in the same category to which that gentleman who lived in Arabia belonged and whom I do not want to name in this connection.

This is a very simple question. Every person has got something in this world. I would not say, that some people have not got a right to live more comfortably than others. If we are allowed to be absolutely free without any Government whatsoever then either we will organise ourselves or perish, but if a Government exists then it is the bounden duty of the Government to see that any person who lives under the Government must be properly fed. This Government, I have no doubt, will continue to feed the fat people, I have no objection to that; but, I feel that the primary function of any Government worth the name is that every person who lives within its dominions must be properly fed and that aspect is not to be overlooked. If the lower paid persons are not properly fed and the fat are over-fed then I am sorry to say that such a Government is *Havannah* Government.

Now, Sir, that is the principle which underlies this adjournment motion, and I have every sympathy with the Mover and I support the motion.

Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): Mr. President, so far as these hard days are concerned in these days of increased prices, I think, these are much harder than the famine days, though they are not actually famine days. During famine days we could get each and every necessary of life, but so far as these days are concerned, a labourer, who gets very little from his employer, cannot get easily necessities of life, which means an additional hardship to him. Sir there is a saying in Persian:

"Ke Mazdur-i-Khushdil Kunad Kar-i-besh."

It means that a labourer who is contented and satisfied with what he gets in the shape of salary or (in the shape of dearness allowance) will turn out greater work. Therefore, every employer should bear in mind that satisfactory work is turned out by the employees when they are better paid. Therefore, Mr. President, I am of the opinion that a very strong case has been made out by the two representatives of labour party, added to it is what my Honourable Friend, Mr. Muhammad Ahmad Kazmi, has said and consequently I do not want to say anything more. I simply associate myself with the previous speakers because I am keenly interested in the welfare of that class.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, all sort of concessions are being made only for the employed and no efforts are going to be made for the maintenance of those who are unemployed. Employed people after all have got some support for their life, but still, they are hankering for more. I do not like to stand in their way. However, I will urge the case of millions of people who are today unemployed and are suffering severely in this country. In other countries people are provided for by the State, but here the case is just the reverse. With these few observations I resume my seat.

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, the motion made by Mr. Mehta raises two points, if I understand it correctly. One point is that the Government failed to consult the representatives of Trade Unions when they last raised the dearness allowance. The second point which is raised in the motion is that the dearness allowances which were announced on the 21st of January last were meagre and inadequate. Sir, I am sorry to say that although I have every sympathy with Mr. Mehta for bringing forward this motion, I am bound to say that the motion has been based upon misunderstanding.

Sir, I will take the first question, namely, that the dearness allowances announced by the Government of India are meagre and inadequate. Sir, with regard to the meagreness of the allowances the point that I would like the House to bear in mind is this, that there is no final decision at which Government have arrived, it cannot be said that the figures that they have announced by the notification of the 23rd February are not to be altered or are not to be increased.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Is it tentative?

The Honourable Dr. B. R. Ambedkar: It may be. There is the case that those figures do not grant adequate dearness allowance. But as I said there is no finality about it. The situation is still fluid and it is a matter for consideration now for the Government as to the form which the dearness allowance should take, whether the dearness allowance should take the form of cash allowance or whether the dearness allowance should take the form of food provision, that is a matter which the Government has to decide before the Government can fix upon any particular pitch at which dearness allowance should be fixed. Therefore my submission on that point is that it cannot be said that Government has taken any decision which can be said to be irretrievable, irrevocable, unamendable.

Pandit Lakshmi Kanta Maitra: Is there a good conduct allowance?

The Honourable Dr. B. R. Ambedkar: I think it is in the Postal department that that concession has been given. With regard to meagreness and the inadequacy, the matter, as I say, is still open and it may be considered at the proper time.

Coming to the second accusation, namely, that the Government did not consult the representatives of trade unions, I think it is necessary to bear in mind that in the first place there are some difficulties in the matter of establishing contact with labour. The difficulty is this. As my Honourable friend, Mr. Jamnadas Mehta, knows, so far as the railways are concerned, there are Unions, which Unions have been federated into a single organisation and it makes matters quite easy for the Government to establish contact with workers on the Railways to obtain their opinion and to consult them whenever occasion for consultation arises. That, I think, Mr. Jamnadas Mehta will admit that the Government have been doing. In fact the convention has already been established and has been practised without any departure that the Railway Board and the Railwaymen's Federation meet twice a year to discuss matters of common concern.

Then, Sir, under the Central Government there are employees of the Posts and Telegraph Department. As I understand, there are twelve Unions which represent the posts and telegraph workers of the Central Government. Out of them four are Unions representing the higher officers and eight represent the union of workers. Unfortunately there is no single body, no Federation of the different workers of the Posts and Telegraph Department and consequently it has not been possible to establish the same sort of contact which it is possible for the Railway Board to establish with the Railwaymen's Federation. But I do like to point out the fact that notwithstanding this difficulty the Government had as a matter of fact contact with the posts and telegraph workers before taking action. I should like to read to the House a short paragraph from a magazine called the *Telegraph Review* for January, 1943, which records the attempts made by the Posts and Telegraph Department to establish contact with the workers in the Posts and Telegraphs. This is what the *Review* says:

"During his recent visit to Calcutta, the Director General invited the representatives of the different recognised service Unions and held a joint conference with them on the question of dearness allowance on 10th December, 1942. The representatives could not present a united front on this question at this conference. Subsequently they met together in Tarapad Hall of the Postal Club building, Calcutta on the evening of 12th December, 1942, and drew up on mutual agreement a new scheme of dearness allowance which is published elsewhere in this issue."

Mr. Jamnadas M. Mehta: What did they ask in that scheme?

The Honourable Dr. B. R. Ambedkar: They saw the Director General again. The representatives met the Director General again in conference on 16th December, 1942 and submitted their scheme to him.

Mr. Jamnadas M. Mehta: What did they demand?

The Honourable Dr. B. R. Ambedkar: It is a very long thing. I am sorry I have not got the time to read the whole of it. If my Honourable friend wants,

I can pass it on to him for his perusal. The point that I am making is this, that so far as the Posts and Telegraph Department workers are concerned, it cannot be said that there was no consultation between the Government and the workers concerned before the announcement was made.

Then, Sir, there remain what are called the clerical employees of the Central Government. So far as this body of workers is concerned, there is no Union and as there is no Union, there is also no Federation of the employees. What exists is a certain Association. First of all we have the Imperial Secretariat Association, secondly, we have the Datttry and Record Sorters Association and thirdly, there is the General Headquarters Association and the House will be glad to see that far from omitting to consult them, they sent their representatives to the Central Government and they were granted interview by the Honourable the Home Member and the Finance Member before this announcement was made. I think I am justified in saying what I said at the beginning that the allegations made by Mr. Jamnadas Mehta on which his motion was founded were really not correct. The Government have all along maintained the position they have always taken, namely, they consult the workers as far as possible.

Mr. Jamnadas M. Mehta: Sir, of the two points which I had raised, one has been answered in a somewhat satisfactory manner. I must say it is a very queer way of doing things. The Honourable Member for Labour said that although he announced the scales of dearness allowance, there was no finality. That means, "I have acted first, I will think afterwards". That is not the right way of doing things. If you want to take any action which affects the fortunes of lakhs of people you do not first announce the action itself and then consider whether it was right or wrong. You must first of all do the thinking and then act. Action first and thinking afterwards is a very wrong way of doing things. Therefore, while it is some satisfaction to me that Government have now admitted that they have acted first without thinking first and that they are prepared to think hereafter, the final solution will take them a lot of time. Having announced a decision, they will be loth to revise it, after the manner of the bureaucrat. They will say, "We have done it, and it must be right". That will be the official mentality and the workers will find it extremely difficult to get a revision of what is admittedly meagre and inadequate—21 per cent. allowance, while the rise in the cost of living is 108 per cent., about one-fifth of what they should have been granted. Now that the facts are known to you, will you now agree to revise the scales without waiting for any further representation? I pause for an answer. Well, I am not getting any reply.

My Honourable friend, Mr. Joshi, referred to essential workers. A large part of the Government employees involved in this motion are essential workers. Therefore, I say that if you are really genuine in what you say that your figures are not final, then you announce on the floor of the House that you are actively considering what further dearness allowance should be given in addition to the one which is admittedly meagre.

Pandit Lakshmi Kanta Maitra: Including the postal employees?

Mr. Jamnadas M. Mehta: Of course. They are just as good, otherwise it takes us nowhere. You have done this thing in a hurry and as in tradition bound, you will stick to it; you will say that it will be revised, but we do not know when. So much for part first of the Honourable the Labour Member's speech.

The second part is even more curious, because some officers meet some few employees in Calcutta

The Honourable Dr. B. B. Ambedkar: Representatives of eight Unions.

Mr. Jamnadas M. Mehta: But you say they are Calcutta Unions.

Sir Gurunath Bewoor (Secretary, Posts and Air Department): They are representatives of the All-India Unions. They were called for this purpose.

Mr. Jamnadas M. Mehta: They were not consulted. If they were consulted on the question of dearness allowance, what did they ask for? Can you tell me what amount they asked for as against the seven rupees which you have given.

Sir Gurunath Bewoor: Sir, it is a long document, but if you like I will read it. The amount of dearness allowance asked for starts from a cost of living index of 105, rising with it. Both the allowance and the maximum pay limit to which allowance is attached rise with the cost of living index. Starting with Rs. 1-8-0 p.m. for salaries up to Rs. 40 and Rs. 2 for salaries up to Rs. 100 when the index number is 105, the allowance goes up to Rs. 22-8-0, Rs. 30 and Rs. 450 respectively when the index number is 175 and so, it goes on increasing.

Mr. Jamnadas M. Mehta: Then the cat is out of the bag: They have asked for Rs. 30 up to a limit of Rs. 450 and you have given Rs. 7. But that is not the whole question. The Post and Telegraph employees are not the only employees concerned in this motion. Have you consulted the chaprasis and clerks of the Accountant General's Office. You have not consulted Government peons. I happen to be the president of the Government Peons' Union, and I can say that you have not consulted me. I beg to be consulted. I ask for consultation. The other day the Honourable the Labour Member told me "Who are you? What do you know?" I know more than you do. Incidentally, he was paying a compliment to himself. I told him that in polite circles it is not considered correct form to pay compliments to oneself.

The Honourable Mr. M. S. Aney: Probably the Honourable Member is disclosing things which are of a confidential nature.

Mr. Jamnadas M. Mehta: Therefore I am not going to say anything further. He knew the truth about the cost of living and still announced Rs. 7.

"Janami dharmam na cha me pravrittih."

The sinner says: "Oh God, I know the truth, but I am unable to act on it". That is the condition of the Honourable the Labour Member. He knew the truth but would not act on it. As I said there are Customs, Accountant General, Income-tax, employees—did he consult the Employees' Unions of these offices? Some years ago I was the President of one of

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadian Urban): You seem to be working for everybody.

Mr. Jamnadas M. Mehta: I am working for every humble man; that is my duty.

Sir Cowasjee Jehangir: Including yourself.

Mr. Jamnadas M. Mehta: Yes. But you need no work. You were born with a silver spoon in mouth, you cannot appreciate the grievances of the poor who are starving

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member address the Chair?

Mr. Jamnadas M. Mehta: Therefore my main complaint is that the allowance is meagre. It has further been proved by the demand which my Honourable friend, Sir Gurunath Bewoor, admitted was made in Calcutta by the Post and Telegraph employees. The allowance should have been three times what they are given. And on the cost of living basis it is five times what they are given.

About consultation, they have consulted only one establishment. I say they have not consulted the Income-tax, the Salt, the Excise, the Accountant General's Office, Government peons.

The Honourable Sir Jeremy Raisman (Finance Member): Archæology also.

Mr. Jamnadas M. Mehta: Happily, for you they have no union yet. But Mint you have not consulted. I am somebody in the Mint of which Mr. S. C. Joshi—the Junior Joshi of Labour—is the President. Therefore, on both the accounts, the Government have behaved badly. First of all, they have given a very meagre and wholly inadequate dearness allowance whereas it should have been five times what it is. Secondly, on the point of consultation, only the Posts and Telegraph Department have been consulted.

The Honourable Dr. B. R. Ambedkar: Why? Secretariat staff has been consulted.

Mr. Jamnadas M. Mehta: You have not consulted the Customs, nor the Income-tax, nor the Accountant General, nor the Government peons, including the Telegraph peons. I say you have not consulted them.

Sir Gurunath Bewoor: Telegraph peons are included in the Post and Telegraph Unions which were represented.

Mr. Jamnadas M. Mehta: I happen to be the President of that Union in Bombay. I ought to know. Therefore you cannot say that you have consulted even all the telegraph people.

The Honourable Sir Jeremy Raisman: Would it not be simpler if the Honourable Member's motion had been worded "that the Government should not have done this without consulting me"?

Mr. Jamnadas M. Mehta: I have not done so, because I am a modest man. But you said the other day last year that you know better than 200 unions. I am a modest man; I cannot say that. But I beg of the House not to take these poor people's fortunes in a hilarious mood. While we may smile at this or that, their children are starving, they are not getting wages enough to keep the body and soul together. The rent in cities other than Bombay and Calcutta have risen from eight annas to Rs. 7-8-0 per month. I have got in my pocket the complaint of workers who were paying annas eight and who are now called upon to pay Rs. 6-8-0 and Rs. 7-8-0 and all your so-called increment will be swallowed only in the rent. Therefore, I beg the House to take this tragedy of the poor more solemnly and more seriously. I am only asking that you should consult them and pay them what is adequate. What they are at present getting is admittedly inadequate.

5 P.M.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Assembly do now adjourn."

The Assembly divided.

AYES—27.

Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Azhar Ali, Mr. Muhammad.
Banerjee, Dr. P. N.
Chhatteropadhyaya, Mr. Amarendra Nath.
Dam, Mr. Ananga Mohan.
Das, Pandit Nilakantha.
Deshmukh, Mr. Govind V.
Essak Sait, Mr. H. A. Sathar H.
Fazl-i-Haq Piracha, Khan Bahadur
Shaikh.
Ghiasuddin, Mr. M.
Habibur Rahman, Dr.
Ismail Khan, Hajee Chowdhury
Muhammad.

Joshi Mr. N. M.
Kazmi, Qazi Muhammad Ahmad.
Krishnamachari, Mr. T. T.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Manavedan, Raja T.
Mehta, Mr. Jamnadas M.
Murtuza Sahib Bahadur, Maulvi Syed.
Neogy, Mr. K. C.
Parma Nand, Bhair.
Siddique Ali Khan, Nawab.
Yamin Khan, Sir Muhammad.
Yusuf Abdoola Haroon, Seth.
Zafar Ali Khan, Maulana.

NOES—37.

Abdul Hamid, Khan Bahadur Sir
 Ahmad Nawaz Khan, Major Nawab Sir.
 Aiyar, Mr. T. S. Sankara.
 Ambedkar, The Honourable Dr. B. R.
 Aney, The Honourable Mr. M. S.
 Benthall, The Honourable Sir Edward.
 Bewoor, Sir Gurunath.
 Caroe, Mr. O. K.
 Chapman-Mortimer, Mr. T.
 Daga, Seth Sunder Lall.
 Dalal, Dr. Sir Ratanji Dinshaw.
 Dalpat Singh, Sardar Bahadur Captain.
 Gray, Mr. B. L.
 Gwilt, Mr. E. L. C.
 Haidar, Khan Bahadur Shamsuddin.
 Imam, Mr. Saiyid Haidar.
 Ismaiel Alikhan, Kunwer Hajee.
 Jawahar Singh, Sardar Bahadur Sardar
 Sir.

Jehangir, Sir Cowasjee.
 Kamaluddin Ahmad, Shamsul-Ulema.
 Lawson, Mr. C. P.
 Maxwell, The Honourable Sir Reginald.
 Miller, Mr. C. C.
 Mody, The Honourable Sir Homi.
 Pillay, Mr. T. S.
 Raisman, The Honourable Sir Jeremy.
 Raper, Sir Hugh.
 Richardson, Sir Henry.
 Sarker, The Honourable Mr. N. R.
 Spear, Dr. T. G. P.
 Spence, Sir George.
 Stokes, Mr. H. G.
 Sultan Ahmed, The Honourable Sir.
 Symons, Mr. N. V. H.
 Thakur Singh, Major.
 Trivedi, Mr. C. M.
 Tyson, Mr. J. D.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Monday, the 15th February, 1948.

LEGISLATIVE ASSEMBLY

Monday, 15th February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Mr. Venilal Tribhovandas Dehejia (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

BREACHES ON NORTH WESTERN RAILWAY LINE IN SIND DUE TO FLOODS.

78. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state how much loss the North Western Railway has suffered on account of breaches consequent on the recent floods in Sind?

(b) What was the immediate cause of the breaches on the lines? Was it due to the absence of outlets underneath the line to facilitate the passage and progress of flood water, or was it on account of the lower level of lines? If so, what future precautions do the authorities propose to take to prevent similar recurrences?

(c) Have the Railway authorities made inquiries to satisfy themselves if there was any negligence on the part of the Provincial authorities of the Sind Government? If not, do Government propose to make inquiries in order to claim damages in case of negligence? If not, why not?

The Honourable Sir Edward Benthall: (a) Approximately Rs. 10,78,000 which is exclusive of loss in traffic which it is not possible to estimate.

(b) Attention is invited to the reply to parts (b) and (c) of short notice question asked by the Honourable Member on the 22nd September, 1942. In case there should be a recurrence of the failure of the marginal bunds, investigations are in progress regarding the construction of more waterway in the embankment and raising the line between Ruk and Jamra and also for a possible diversion of the line from Arain Road or Bagarji to Ruk.

(c) No. This is a matter for the consideration of the Sindh Government; it would not be appropriate for the Railway Administration to make such enquiries.

Mr. Lalchand Navalrai: Does the Honourable Member know that a special court has been actually appointed presided over by the Chief Justice of the Sind Court to inquire into all these matters and will the Honourable Member be in communication with him to consider these points raised in this question?

The Honourable Sir Edward Benthall: I am aware that such a court is now sitting and we propose to await the findings of the court.

Mr. Lalchand Navalrai: Will the Honourable Member be in communication with him on the points involved?

The Honourable Sir Edward Benthall: I have no doubt that all the points involved in these questions will be thoroughly investigated.

Mr. Lalchand Navalrai: Will the Honourable Member send a copy of these questions and answers? There will be no harm done.

The Honourable Sir Edward Benthall: I see no objection to that at all.

BURMA POSTAL DEPARTMENT EVACUEES AND GRIEVANCES OF THE POSTAL EMPLOYEES.

79. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Secretary of the Posts and Air Department be pleased to state the number of people in the services of the Postal Department of Burma who have come to India as evacuees? Have they been absorbed?

(b) Has he received representations from postal employees for the redress of grievances (i) regarding the fixation of salaries of the new entrants under the new service rules and (ii) dearness allowance? If so, what has he decided on both these items? If he has not yet decided, when is he expected to come to a decision?

Sir Gurunath Bewoor: (a) The total number of officials of the Burma Posts and Telegraphs Department evacuated to India is 2,028. Of these, 292 have been employed by the Burma Posts and Telegraphs Department now functioning in India and 342 have been employed in other offices in India. The remaining 1,394 are on concession leave.

(b) A certain number of representations have been received asking that employees on the new scales of pay should be given the old scales of pay in force prior to 1935 and that the dearness allowance should be increased. Government do not propose to revise the scales of pay which have been in force since 1935. As regards dearness allowance, enhanced rates were sanctioned only recently with effect from the 1st January, 1948.

Mr. Lalchand Navalrai: Are the staff satisfied with what the Government has done about the dearness allowance or do they require a revision of it, and will the Honourable Member reconsider the question, just as the railways are doing?

Sir Gurunath Bewoor: Sir, the matter was discussed on Friday at great length.

Maulvi Muhammad Abdul Ghani: May I know whether there was paucity of Indians for the postal services, so that Burma men have been taken in?

Sir Gurunath Bewoor: No; it is not a question of paucity of Indians. We had certain experienced men from Burma like telegraph and telephone engineers, operators, etc., and in view of the very considerable demand for such people, we have taken some of them on a temporary basis. The whole of these 342 have not been taken in the Posts and Telegraphs Department; they have been employed in other offices in India, i.e., in the various Government offices.

Maulvi Muhammad Abdul Ghani: What is the period of temporary service?

Sir Gurunath Bewoor: There is no fixed period; they can be recalled by the Burma Posts and Telegraphs Department when they re-occupy Burma.

Maulvi Muhammad Abdul Ghani: But in case Burma is not recovered?

Mr. President (The Honourable Sir Abdur Rahim): That is a hypothetical question.

Sardar Sant Singh: Will the Honourable Member let us know whether these evacuees from Burma are Anglo-Indians or Indians or Burmans or Anglo-Burmans or Europeans?

Sir Gurunath Bewoor: I think they belong to all the classes which the Honourable Member has mentioned

Mr. Lalchand Navalrai: How many are Anglo-Indians or Europeans?

Sir Gurunath Bewoor: I am afraid I have not got the information here at present.

Pandit Lakshmi Kanta Maitra: In view of the fact that the new entrants to Government service have been greatly affected by the increased cost of living, have Government applied their minds to their case?

Sir Gurunath Bewoor: The increase in the cost of living is covered by the dearness allowance.

Pandit Lakshmi Kanta Maitra: I am asking about the case of the new entrants.

Sir Gurunath Bewoor: It makes no difference. The scale of pay was fixed about eight years ago; the dearness allowance is given on account of the increased cost of living since the war broke out; there cannot be any question of revising the scales of pay in the abnormal circumstances of the present time.

Pandit Lakshmi Kanta Maitra: Is it not a fact that before the present increase in the cost of living the new entrants had been agitating for the restoration of the old scales of pay and this increased cost of living has imposed on them an additional burden? Has Government considered that aspect of the question?

Sir Gurunath Bewoor: Government have considered that aspect of the question also.

PREFERENCE TO ANGLO-INDIANS, EUROPEANS AND FOREIGN REFUGEES IN ORDNANCE FACTORIES.

80. *Mr. Ananga Mohan Dam: (a) Will the Honourable Member for Supply be pleased to state how many supervisory staff drawing over Rs. 100 per mensem have been recruited in connection with the munition work and of these how many are Anglo-Indians and Europeans?

(b) Is it a fact that in most of the railway workshops and Ordnance Factories, Anglo-Indians have been and are systematically given preference over Indian candidates? Were these appointments made through the Public Service Commission or were the posts advertised? If neither of the two methods were adopted, what was the reason therefor?

(c) Is it a fact that a number of refugees from Czechoslovakia, Germany, Yugoslavia, etc., have been recruited in connection with the munition works? If so, what is the number of such refugees?

(d) Do Government propose to assure the House that the services of such refugees will be terminated after the war to make room for Indians?

(e) Is it a fact that many of them possess indifferent qualifications and are in a few cases, e.g., die-casting experts, drawing salaries without having to do regular work at all?

(f) Is it a fact that in some cases the Government of India have borne the passage money of the families of such refugees?

(g) Before appointing such refugees did Government arrange to have their qualifications examined by a competent body? If not, why not?

(h) Did the Government fully explore the possibility of finding Indians with requisite qualifications before appointing these refugees? If not, why not?

The Honourable Sir Homi Mody: (a) The information is being collected and will be laid on the table of the house in due course.

(b) *First part.*—No.

Second part.—Recruitment to temporary war posts is not being made through the Federal Public Service Commission. The posts were generally advertised. Some of them were filled through the agencies of National Service Labour Tribunal and National Service Advisory Committee.

(c) Twenty Czechoslovaks and two Poles have been recruited for work in Ordnance Factories and Directorate General (Munitions Production). Information in regard to Railway workshops is being collected and will be laid on the table of the house.

(d) All appointments have been made for the duration of the war.

(e) No.

(f) Yes; only in one case.

(g) and (h). Yes.

Pandit Lakshmi Kanta Maitra: What was the answer to part (c) of the question?

The Honourable Sir Homi Mody: Twenty Czechoslovaks and two Poles have been recruited for work in Ordnance Factories and Directorate General (Munitions Production). Information in regard to Railway workshops is being collected and will be laid on the table of the House.

Pandit Lakshmi Kanta Maitra: When these refugees from outside were appointed to these posts, what was the test laid down for their appointment?

The Honourable Sir Homi Mody: That they were suitable for appointment.

Pandit Lakshmi Kanta Maitra: How could that be known? Was there any qualification prescribed or were applications invited for these posts mentioning those qualifications?

The Honourable Sir Homi Mody: Their past record and considerations such as that they were employed on similar work before.

Pandit Lakshmi Kanta Maitra: May I take it that their respective countries forwarded a recommendation to the Government of India?

The Honourable Sir Homi Mody: I do not think so; but I am not in a position to give definite information.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member in a position to tell us who took the initiative in appointing these people? How did they come to know that these posts were vacant and how did they apply for the posts?

The Honourable Sir Homi Mody: There are records of all these people with their qualifications; in view of the fact that there is a great scarcity of technically-trained men, we try and recruit as many suitable people as possible, whether they are Czechoslovaks, Poles or any other. I can only give this assurance to my Honourable friend that so far as Indians are concerned, if there is a suitable Indian found for any of these posts, or for that matter any other posts, every possible chance is given to him.

Pandit Lakshmi Kanta Maitra: May I take it that in the filling of these posts the Honourable Member satisfied himself that no suitable Indian was available for them and as such they have been filled by the evacuees?

The Honourable Sir Homi Mody: Yes.

Pandit Lakshmi Kanta Maitra: Is it a fact that the Government maintains a sort of register of evacuees so as to absorb them in Government service whenever opportunities present themselves before them?

The Honourable Sir Homi Mody: I cannot give an answer to that. I would not be able to say.

Pandit Lakshmi Kanta Maitra: I only wanted to know if the Honourable Member's Department maintains any register of evacuees as such?

The Honourable Sir Homi Mody: No. My Department does not.

Pandit Lakshmi Kanta Maitra: Does it emanate from any other Department?

The Honourable Sir Homi Mody: I cannot tell. All that I can say quite definitely is that every possible enquiry is being made before any man is appointed to any job in my Department.

Pandit Lakshmi Kanta Maitra: Did the Honourable Member invite individual applications?

The Honourable Sir Homi Mody: I have already answered that question in my answer to part (b) of the question.

Mr. Lalchand Navalrai: May I know if these posts were newly created, or they were there already, that were filled by these outsiders?

The Honourable Sir Homi Mody: Most of these posts were newly created as there was a considerable expansion of the ordnance factories.

Mr. Lalchand Navalrai: Am I to take it that the Honourable Member has satisfied himself that there were no Indians capable of holding these posts?

The Honourable Sir Homi Mody: I have answered that question.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

GRIEVANCES OF THE AMALGAMATED ASSAM BENGAL RAILWAY STAFF.

81. *Mr. Ananga Mohan Dam: (a) Will the Honourable the Railway Member please state why different rules regarding the grades, leave, pay and travelling allowance should obtain in the Eastern Bengal and the Assam Bengal zones, while all the employees belong to the one and the same system, *viz.*, the Bengal and Assam Railway?

(b) Have the employees of the Assam Bengal Railway been re-appointed in the Bengal and Assam Railway? If so, were the employees settled up as regards their Provident Fund?

(c) If, however, the services were considered as continuous, will he give the reason for the reduction of salary when the staff were kept at the same post with the same responsibility attached thereto?

(d) Is it a fact that the Establishment Rules for the temporary munition staff in the railways differ from those in the Ordnance Factories? Do Government propose to enquire into the matter and see that the same rules do apply in both the cases?

(e) Is it a fact that munition workers in the Kanchanpara shops only do not enjoy the Passes and the Privilege Ticket Orders while those in other railway workshops are allowed this favour? Do Government propose to consider the case of Kanchanpara staff sympathetically?

(f) Is it a fact that the Deputy Chief Mechanical Engineer, Shops, Kanchanpara, Assam, requested the higher authorities to allow the munition staff Passes and Privilege Ticket Orders as other railway staff? If so, why was this not acceded to?

(g) Is it a fact that the minimum pay of an Anglo-Indian in the Railway is Rs. 55 per mensem, while that of an Indian may be anything so low as Rs. 13 per mensem?

(h) Do Government propose to discontinue such discriminations?

The Honourable Sir Edward Benthall: (a) The differences referred to exist because the employees of the late Assam Bengal Railway Company continued to be governed by the Company's rules in respect of pay, allowances and leave on re-employment by the State as is customary on such amalgamations.

(b) The answer to the first part is in the affirmative. As regards the second part, the answer is in the negative, since the Assam Bengal Railway Company transferred its assets in its Provident Fund to the State.

(c), (e) and (f). I have called for information and a reply will be laid on the table of the House in due course.

(d) The reply to the first part is in the affirmative. As regards the second part Government see no reason to alter the present position.

(j) The minimum wage of an Anglo-Indian in categories in which the community has a special reservation has been fixed at Rs. 55 per month. The minimum pay of Indians employed in the same categories is usually about Rs. 30.

(h) I would refer the Honourable Member to the reply given on the 22nd February, 1941, by the Honourable the Home Member to Dr. Sir Zia Uddin Ahmad's starred question No. 128.

DISCRIMINATION BETWEEN ANGLO-INDIAN AND INDIAN APPRENTICES IN KANCHANPARA SHOPS.

82. *Mr. Ananga Mohan Dam: (a) Will the Honourable the Railway Member be pleased to state the expenses borne by the Government for each Anglo-Indian Railway Apprentice and Indian Apprentice working at Kanchanpara Shops?

(b) Is it a fact that in the Kanchanpara Shops the ration allowance of an Anglo-Indian apprentice is much higher than that of an Indian apprentice?

(c) Will such discriminations between the Anglo-Indians and the Indians continue or be put an end to now?

The Honourable Sir Edward Benthall: (a) On the average an Anglo-Indian Apprentice Mechanic at Kanchrapara costs the Railway Rs. 78/7/- per month and an Indian Apprentice Mechanic Rs. 52/4/- per month.

(b) The Apprentices live in hostels provided by the Railway and are given no ration allowance. The messing charges of the Apprentices are, however, paid by the Railway direct to the Caterers and these come to Rs. 35 per month in the case of an Anglo-Indian Apprentice Mechanic and Rs. 20 per month in the case of an Indian Apprentice Mechanic.

(c) The difference in the messing charges is doubtless based on the expenses incurred by the Caterers, but the Railway is being asked to examine the question of eliminating the difference if it is possible to do so.

GRIEVANCES OF THE AMALGAMATED ASSAM BENGAL RAILWAY STAFF.

83. *Mr. Ananga Mohan Dam: (a) Will the Honourable Member for Railways be pleased to state whether the amalgamation of the Assam Bengal Railway Company and the Eastern Bengal Railway was done in consultation with the authorities of both the Railways? If not, what principle was followed?

(b) Is it a fact that the pay and prospects of the officers and subordinates of the Assam Bengal Railway only have been adversely affected by this amalgamation?

(c) Have the pay and prospects of any of the Eastern Bengal Railway staff been affected by reason of this amalgamation? If not, why not?

(d) Is it a fact that since the amalgamation, only the officers and subordinates of the Eastern Bengal Railway have been promoted to higher positions?

(e) Is it a fact that several staff of the Assam Bengal Railway whose pay and prospects have been adversely affected by the amalgamation have appealed to the higher authorities for reconsideration of their case? If so, do Government propose to go through each and every such case?

(f) Is it a fact that a number of the staff of the Assam Bengal Railway have resigned since the amalgamation owing to the reduction of their pay as a result thereof?

(g) In view of this, are Government prepared to appoint a small committee consisting of two non-official Assembly Members and a representative of the late Assam Bengal Railway and the Eastern Bengal Railway to review in detail the cases of such staff?

(h) Is it a fact that though the Assam Bengal Railway and the Eastern Bengal Railway have been amalgamated to form the Bengal and Assam Railway, yet the Establishment Rules differ in the Eastern Bengal Zones and the Assam Bengal Zones?

The Honourable Sir Edward Benthall: (a) When it was decided to take over the management of the Railway, it was also decided to amalgamate it with the Eastern Bengal Railway. Government obtained the advice of the officers most competent to tender such advice before reaching the decision.

(b) No.

(c) Yes, in respect of prospects only, in some cases; the second part does not arise.

(d) No.

(e) Some representations from officers have been received and are being dealt with. As regards non-gazetted staff, I have called for information and reply will be laid on the table in due course.

(f) I have called for information and a reply will be laid on the table in due course.

(g) No.

(h) There are differences in the conditions of service of staff of the Eastern Bengal Railway and of staff who were taken over from the late Assam Bengal Railway Company as the latter have been permitted to retain in certain matters like pay, allowances, etc., the conditions by which they were governed while serving under the Company, irrespective of where they are working.

Pandit Lakshmi Kanta Maitra: As regards the answer to part (e), may I ask the Honourable Member if the applicants got any redress?

The Honourable Sir Edward Benthall: The matter is still under investigation.

Pandit Lakshmi Kanta Maitra: After the amalgamation of the Assam Bengal Railway, such cases are likely to crop up and I want to know whether there is any agency set up by the Honourable Member's Department to investigate this matter?

The Honourable Sir Edward Benthall: No special agency has been set up. Individual cases are most carefully enquired into.

Pandit Lakshmi Kanta Maitra: Individual cases are enquired into by the Honourable Member's Department, or by the administration of the B. & A. Railway?

The Honourable Sir Edward Benthall: By both, if necessary.

Pandit Lakshmi Kanta Maitra: Does the Honourable Member realise that when a new railway is amalgamated with another, the agency for going into these matters should be an independent one?

The Honourable Sir Edward Benthall: No. The existing organisation is perfectly competent to examine all these cases.

Pandit Lakshmi Kanta Maitra: Did the Honourable Member say that such cases are already investigated by the General Manager of the B. & A. Railway as constituted at the present moment?

The Honourable Sir Edward Benthall: Certainly. They are examined by the B. & A. Railway, and the Railway Board, of course, takes that examination into consideration.

INDIAN DELEGATION TO THE PACIFIC RELATIONS CONFERENCE.

84. *Mr. Govind V. Deshmukh: Will the Foreign Secretary please state:

- (a) if the Government of India either wholly or partly paid the expenses of the Indian Delegation to the recent Pacific Relations Conference in Canada;
- (b) if they selected the delegates for this Indian Delegation themselves, or whether they co-operated with any political organisation in this country;
- (c) if the delegates received any salary or honorarium; if so, how much had Government to pay; and
- (d) what was the mission of this delegation? Apart from its regular mission, did the members carry on any propaganda either independently or jointly? If so, what was the nature of such propaganda?

Mr. O. K. Caroe: (a), (b) and (c). The Honourable Member is referred to the answer given to starred question No. 20 asked by Mr. Neogy on the 10th February which covers all the points in these portions of the Honourable Member's question.

(d) *The mission of the delegation was to represent India at the Conference.* Apart from the Conference some of the members were asked by various institutions in the United States to undertake lecture engagements and Government understands that they did so. Such engagements were undertaken in their individual capacity.

Mr. N. M. Joshi: May I ask whether it was Sir Ramaswami Mudaliar who selected the delegates?

Mr. O. K. Caroe: I understand that he, as Chairman of the Indian Branch of the Institute, had, at any rate, a large part in selecting the delegates.

Mr. N. M. Joshi: May I know whether Sir Ramaswami Mudaliar received the invitation during his stay in India or in England?

Mr. O. K. Caroe: All the members who are chosen to go to the United States received invitation from the Secretary General of the Institute of Pacific Relations.

Mr. N. M. Joshi: When was he asked to select the delegates?

Mr. O. K. Caroe: I cannot tell the Honourable Member exactly. It was during the latter part of August or the beginning of September, just before he went away.

Mr. N. M. Joshi: In view of the fact that Sir Ramaswami Mudaliar was in India when he received the invitation, did he consult the Committee of the Institute of International Affairs?

Mr. O. K. Caroe: I cannot tell the Honourable Member. I am not a member of the Committee myself. As far as Government understand, it was done, the whole thing was done, according to the rules of the Indian Branch of the Institute.

Mr. K. O. Neogy: Has the Honourable Member satisfied himself that the procedure followed in the selection of these delegates was quite regular and in accordance with the rules to which he has just made reference?

Mr. O. K. Caroe: Government is not responsible for the conduct of business in the Indian Branch of the Institute.

Mr. K. O. Neogy: Has the Honourable Member's attention been drawn to the comments on this subject, namely, that the election was wholly irregular?

Mr. O. K. Caroe: I have heard it said, I have seen it in the press..

Mr. K. O. Neogy: In view of the fact that Government decided to finance this delegation, did not the Government think it necessary to go into this question to find out whether a fraud was committed on the procedure?

Mr. O. K. Caroe: I think it would be a most graceless thing to do, to go over past history of that kind, in view of the extraordinarily high and good impression which the Indian Delegation created while they were in the United States.

Mr. N. M. Joshi: May I ask whether all the delegates chosen were members of the International Institute?

Mr. O. K. Caroe: I believe some were and some of them were not. It was not necessary as I understand that they should all be members of the Institute.

Mr. N. M. Joshi: May I ask whether the Government of India is aware that one of the Members of the Institute of International Affairs, Pandit Kunzru, protested against the method followed by the President in selecting the delegates?

Mr. O. K. Caroe: I have heard that statement. To go over things like that, after the choice, seems to me again, if I may say so, a graceless way of doing things and suggests that certain members feel that they would have been better choices themselves.

Mr. K. C. Neogy: Apart from the reports of high tributes to the "passionate eloquence" of the delegates, do the Government expect to get any report of the proceedings?

Mr. O. K. Caroe: Yes, Sir. A complimentary report has already been received.

Mr. N. M. Joshi: May I ask the Honourable Member to repeat what he said about some other Honourable Members not having been chosen?

Mr. O. K. Caroe: I said that I thought that suggestions of this kind by other members leave a feeling that some of the discontented members thought they might have been better choices.

Mr. N. M. Joshi: May I ask whether the Government of India consider that whenever there is a protest against the action of one of the Members of the Government, the Government is justified in attributing improper motives to the Members?

Mr. O. K. Caroe: I do not know if they are necessarily improper.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

Mr. N. M. Joshi: Sir, this is a very important matter.

Mr. Govind V. Deshmukh: Sir, I want to ask one supplementary question.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have taken the opportunity long ago. Sufficient supplementary questions have been asked on this question. Next question.

Mr. Govind V. Deshmukh: But not the one which I wanted to ask, Sir.

Mr. President (The Honourable Sir Abdur Rahim): No more supplementary questions. Next question.

DISCUSSION OF THE "ATLANTIC CHARTER" AT THE PACIFIC RELATIONS CONFERENCE.

85. *Mr. Govind V. Deshmukh: Will the Foreign Secretary please state if at the recent Pacific Relations Conference in Canada, the 'Atlantic Charter' formed the subject of discussion? If so, was its applicability to India discussed? What was the nature and substance of the discussion?

Mr. O. K. Caroe: As stated in my answer to question No. 20, asked by Mr. Neogy on the 10th February the proceedings of the Conference were strictly private and Government are unable to divulge their substance without the permission of the Secretary-General of the Conference.

Mr. Govind V. Deshmukh: We were told that the Congress point of view was put by two gentlemen. May I ask what was the statement made on behalf of the Congress which the Government considers was from the Congress point of view?

Mr. O. K. Caroe: I am not at present in a position to inform the Honourable Member or the House of the substance of the proceedings of the Round Table Group on India at this Conference and I am not able, I regret to say, at the present stage to give the Honourable Member the answer that he would like to have. I hope it may be possible to do so later.

Mr. Govind V. Deshmukh: But what was the Congress point of view which was placed before the Conference?

Mr. O. K. Caroe: I have only got information from one who attended the Conference that the Congress Party's point of view was placed before them.

Maulvi Muhammad Abdul Ghani: May I ask whether the point of view of the Muslim League was also placed before the Conference?

Mr. O. K. Caroe: Yes, I think so.

Mr. Lalchand Navarat: May I ask if the Report has been placed in the Library of the House?

Mr. O. K. Caroe: No, Sir. If the Report had been placed in the Library of the House, it would have been the public property.

Pandit Lakshmi Kanta Maitra: May I ask if the viewpoint of the Scheduled classes was also placed before the Conference?

Mr. O. K. Caroe: One of the delegates, I believe, belonged to the Scheduled castes and no doubt he took opportunities of placing their viewpoint before the Conference.

Mr. N. M. Joshi (Nominated Non-Official): Sir, I rise to a point of order. I would like to ask you whether it is proper and in order for a Member of Government to attribute unworthy motives to Members of the Assembly who are doing their duty?

Mr. President (The Honourable Sir Abdur Rahim): I do not think any motive was attributed in connection with the Members of the Assembly. Was it in connection with the Members of the Assembly?

Mr. N. M. Joshi: Yes, Sir. He attributed unworthy motives to the Members of the Assembly while replying to a question.

Mr. President (The Honourable Sir Abdur Rahim): What motive was attributed?

Mr. N. M. Joshi: The motive was that the question was put by Members who felt that they should have been chosen instead of other persons, a motive of selfishness. He did say that.

Mr. O. K. Caroe (Secretary, External Affairs Department): I said that certain people who had made criticisms in public and in the Press about this choice of others by the Institute were laying themselves open to the feeling that they themselves might have been better choices. I only referred to the members of the Institute of the Indian Branch of the Institute of International Affairs and not to the Members of the Assembly. The last thing I would do would be to attribute unworthy motives to the Members of the Assembly.

Mr. President (The Honourable Sir Abdur Rahim): That is what I thought; he did not refer to the Members of the Legislative Assembly.

MOTIONS FOR ADJOURNMENT.

SUGAR PROBLEM.

Mr. President (The Honourable Sir Abdur Rahim): The next motion for adjournment is in the name of Mr. Jamnadas Mehta who wishes to discuss regarding sugar. That subject will come under discussion during the two days that have been allotted regarding food problem.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): All right, Sir.

PROVISION OF RUPEE FINANCE FOR THE GOVERNMENTS OF THE UNITED NATIONS.

Mr. President (The Honourable Sir Abdur Rahim): The next motion for adjournment is also in his name. He wishes to discuss a definite matter of urgent public importance, namely, the imminent economic disaster, facing the country, due to the action of the Government of India, in providing rupee finance required for His Majesty's Government and for the Governments of the other United Nations in India and thereby indirectly compelling the Reserve Bank of India to issue huge volumes of currency notes out of all proportion, to the needs of the country, as reflected in the growth of population, the expansion of industries and the increase in production, thus leading to a chronic state of inflation.

I want to know when this rupee finance was provided for His Majesty's Government and the Governments of the United Nations? When did this take place?

Mr. Jamnadas M. Mehta: The thing which led to the acute position by inflation was found out in December last.

Mr. President (The Honourable Sir Abdur Rahim): What happened in December last?

Mr. Jamnadas M. Mehta: Practically, every day one crore worth of rupees currency notes were issued.

Mr. President (The Honourable Sir Abdur Rahim): Since what date?

Mr. Jamnadas M. Mehta: The exact date I do not know.

Mr. President (The Honourable Sir Abdur Rahim): Some date in December?

Mr. Jamnadas M. Mehta: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): I should like to know what the Honourable the Finance Member has got to say.

The Honourable Sir Jeremy Raisman (Finance Member): There has been no change whatever in the method by which these transactions by which the war effort in India is financed have been carried out. The only imminency arises from the adjectives used by the Honourable Member in his motion. The position is one which, in essence, is exactly the same since the beginning of the war. It is true that there is a change in degree but the whole policy in regard to this matter is one which would naturally come under discussion at the time of the Budget, and it cannot be said at any particular point of time that some new and urgent question has arisen. I submit that the matter is not urgent within the meaning of the Standing Orders.

Mr. President (The Honourable Sir Abdur Rahim): I suppose the Budget discussion will take place shortly.

The Honourable Sir Jeremy Raisman: Yes, Sir, within a few days.

Mr. President (The Honourable Sir Abdur Rahim): I rule that the matter is not urgent and that it is a matter which will be discussed shortly during the Budget debate. I declare the motion out of order.

FAST BY MAHATMA GANDHI IN JAIL.

Mr. President (The Honourable Sir Abdur Rahim): The next motion for adjournment is in the name of Pandit Lakshmi Kanta Maitra who wishes to discuss a definite matter of urgent public importance, namely, the hunger strike or fast resorted to by Mahatma Gandhi in jail.

I think there is another motion also in the name of the same Honourable Member to the same effect.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Which of these two motions does the Honourable Member wish to discuss?

Pandit Lakshmi Kanta Maitra: Whichever you like, Sir.

Mr. President (The Honourable Sir Abdur Rahim): I do not want to discuss any one. It is for the Honourable Member to choose and then I shall decide. The second one is to discuss a definite matter of urgent public importance, namely, the situation created by the fast undertaken by Mahatma Gandhi in jail from today.

What is the nature of the situation created?

Pandit Lakshmi Kanta Maitra: That, Sir, I will indicate when the motion is admitted.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have mentioned it clearly. But there is another motion in the name of Sardar Sant Singh relating to this matter.

Sardar Sant Singh (West Punjab: Sikh): That does not relate to hunger strike by Mahatma Gandhi, but to the hunger strike resorted to by Sikh military prisoners now confined in the Central India Agency, of which notice was given by me a few days ago.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has given notice of a motion today.

Sardar Sant Singh: I have given notice today of a motion relating to the restrictions placed on the publication of the news about Mahatma Gandhi without precensorship on the *Hindustan Times*, New Delhi, by the Chief Commissioner, Delhi.

Mr. President (The Honourable Sir Abdur Rahim): All right, I understand that. Has the Government Member any objection?

The Honourable Sir Reginald Maxwell (Home Member): No, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The motion will be taken up at 4 O'clock, unless the business of the House is finished earlier.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, may I suggest that in view of the fact that two days have already been fixed for the debate on food-stuff, discussion on this motion for adjournment be postponed for tomorrow.

Mr. President (The Honourable Sir Abdur Rahim): No. That is the look out of Honourable Members themselves who give notices of adjournment motions. The motion will be taken up at 4 O'clock unless the business on the agenda is finished before that, and in that case, if it is the desire of the House and I take it that that is the general desire—it will be discussed earlier.

MESSAGES FROM H. E. THE GOVERNOR GENERAL.

Mr. President (The Honourable Sir Abdur Rahim): Two messages have been received from His Excellency the Governor General. The first message reads as follows:

"In exercise of the powers conferred by rule 2 of the Indian Legislative Rules, I, Victor Alexander John, Marquess of Linlithgow hereby appoint the Honourable Sir Edward Benthall to perform the functions assigned to the Finance Member under rule 46 of the said rules on the occasion of the General Discussion appointed for Friday, the 19th February, 1943, of the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of Railways.

(Sd.) LINLITHGOW,
Viceroy and Governor General "

NEW DELHI;
The 25th January, 1943.

The second message runs thus:

"In pursuance of the provisions of sub-section (3) of section 67A as set out in the Ninth Schedule to the Government of India Act, 1935, I hereby direct that the heads of expenditure specified in that sub-section, other than those specified in clause (v) thereof, shall be open to discussion by the Legislative Assembly when the Budget for the year 1943-44, is under consideration.

(Sd.) LINLITHGOW,
Viceroy and Governor General "

RAILWAY BUDGET FOR 1943-44.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I have the honour to present the Railway Budget for 1943-44. In war time, the success of railway operation must be measured not in rupees but in service. A year ago, my predecessor, Sir Andrew Clow, warned the House that there was little prospect of meeting more than a proportion of the demands made upon the railways, even if the tide of battle came no nearer our shores. Since then, not only has the tide of battle lapped our shores and thrown upon the railways much traffic which would normally have been seaborne, but the

railways have had to face an organised, malicious and determined internal attack designed primarily to put them out of action and, on top of all this, a series of almost unprecedented floods and cyclones. Now that the breaches have been repaired, I can safely tell the House that through traffic on no less than three lines of first class strategic importance was interrupted by nature for periods of five months, four months and 2½ months respectively, and other serious delays have also been involved. Apart from these abnormal incidents, the difficulties of obtaining materials for maintenance of, and repairs to, track and rolling stock have owing to war conditions, become progressively greater, while we are now feeling severely the absence of a number of our trained staff who have been released for military service and for war work in other departments. In the face of these factors it is only natural that the railways should have been severely strained in their effort to meet the increasing demands made upon them.

2. For the Army, we are running more than 400 special troop trains every month, and we estimate that in the current year we shall carry 15 million tons of military traffic, compared with 500,000 tons in peace time. The average distance which this tonnage is carried is considerably greater than for public traffic. Included in this is a large volume of materials for the construction of airfields, which had to be transported swiftly and efficiently, and the railway administrations can look with satisfaction to the part they have played in building up this large net-work of defence assets. The railways have provided a considerable number of vehicles, specialised and otherwise, including ambulance trains for use in India and on other fronts, and also a very large mileage of sidings and a number of locomotives and wagons for army depots, while 19,000 men in railway workshops have made a notable contribution on the munitions front. We have the assurance of the military authorities that the requirements of the Army have been met satisfactorily. The Army, on their part, have shown an enthusiasm for co-operation, which has materially eased the problem of superimposing this vast military traffic upon an already extended civilian demand, and it is hardly necessary to add that we shall neglect nothing to render efficient service to them, whatever burdens the future may lay upon us.

3. As regards civilian goods traffic, we are, of course, carrying very little indeed of what can be called luxury traffic. Practically everything carried on the railways is, under the priority system, of direct or indirect value to the war effort. It has been the subject of comment that we are loading fewer wagons daily this year than last, and at first sight this is difficult to reconcile with the increased earnings. But while the number of wagons loaded has decreased, the ton mileage has, on the whole, been well maintained. The wagons loaded have therefore for a variety of reasons been carried greater distance. The average wagon load has increased and the policy of curtailing short distance traffic has resulted in a reduction in the time spent in loading and unloading and has therefore added to the earning power of the wagon. The smaller loadings of coal, which is, of course, a low rated commodity, has meant that a larger quantity of higher rated traffic has been moved. But this is not a matter of particular gratification to the railways since the movement of coal is a matter of first importance, and the supply of wagons to the collieries is at all times one of the major preoccupations of the railway administrations. The broad fact is, however, that the railways have succeeded, in the difficult circumstances described in my opening remarks, in maintaining the life of the country, whilst meeting the demands of the military and of every essential industry. We are grateful to those merchants and industrialists, particularly of the larger organised industries, who, by programming and strict attention to wagon economy, have played their part in this result.

4. When it comes to passengers, statistics show that, in spite of the vigorous campaign to induce passengers to travel only when they must, there was an

[Sir Edward Benthall.]

increase of 3,000 million passenger miles last year, as compared with 1938-39, while this year these figures have been exceeded. Reductions in passenger train services amount to a saving in train miles of approximately 87 per cent. of the pre-war figure, and this curtailment has been necessary to provide for military and goods traffic and to conserve coal stocks. I can offer no hope at all of any improved comfort or speed in passenger travel so long as such priority demands continue, but, if it is any solace to passengers in this country, I may mention that I was informed recently by a prominent American railway official that in the United States passenger trains are on certain lines, subject to as great delays as in present-day India.

Staff

5. Although, therefore, the system has creaked again and again, it has stood the strain. Essential traffic has been moved. In this achievement, there is one fact which cannot be too freely recognised. This vast organisation covering in the State-owned railways a larger mileage and a larger staff than any single railway administration in the world, is not a soulless machine, but a thing of flesh and blood. Seven hundred and fifty-eight thousand persons, 99·7 per cent. of them Indians and Anglo-Indians, eat the salt of the Indian railways, and it is their loyalty to their work which enables the people to be fed, the factories to operate and the services to function. Inspired by the example of their officers, no less than 126,000 of them in the danger areas have voluntarily enrolled in the Defence of India Railway Force. In Assam, East Bengal and Calcutta they have had their first taste of bombing and, fortified by the excellent arrangements made for their security through the A. R. P. organisation of the railways, have carried on. Under what we must all recognise to have been the most difficult conditions of all during the open rebellion of last autumn, they were almost to a single man true to their salt. They have therefore deserved well of India. The thousands of railway workers who have made a special effort this year and whose work cannot all receive individual recognition, will be glad at least to know that it has been appreciated by the Government of India and by this House. I am sure, therefore, that the House will join me in offering sincere and hearty congratulations to Sir Leonard Wilson, the Railway Board and the officers and men of the railways; from General Manager to gangman, on a splendid year's work.

6. Good though the record is we have to ask more of them before we can put this nightmare of war behind us. We have yet to load more wagons, speed up the traffic, and eliminate delays to a far greater extent than heretofore. If we are to do this, it is our duty to see that the workers are properly cared for in these difficult times and that nothing that is fair shall be left undone to mitigate their hardships. In addition to a dearness allowance, numerous other arrangements have been made to assist them, such as family evacuation concessions and allotments, emergency allowances, educational concessions, war injury relief and so on. Increased money payments help, but what is of importance to staff today is not so much money but what money can buy, and above, all, the necessities of life such as foodstuffs, clothing, kerosene and fuel, which, mainly on account of sheer hoarding or profiteering, have become so costly and difficult to obtain. The grant of additional dearness allowance will be of no avail if the articles are not forthcoming.

7. There are two ways of dealing with this problem, either to continue to give the lower paid staff increased dearness allowance to meet the rising cost of living, or to see that the rise in the cost of living of the railwayman is, as far as possible, stabilised by ensuring that the necessities of life are made available to him at reasonable prices. On the railways we are combining the two courses. We have given a dearness allowance, and we have opened grain shops. It is our policy to supply through these shops, on an increasing scale, not only food grains but also other necessities of life at prices which will go

far to stabilise the cost of living of the workers, the difference between these prices and the actual cost being borne by railways. This will not only afford some relief to the class of workers to whom dearness allowance does not apply but,—and this is a matter of supreme importance,—by creating a check on the rising spiral of wages and prices in one important sphere, will tend to retard the process of inflation in the country as a whole. The organisation necessary cannot, of course, be conjured up in a night, but all railway administrations have been asked to treat this matter as one of urgency. On some railways a good beginning has already been made, and it is hoped that the effects will make themselves felt shortly over a wide area. In the meantime special arrangements have been made to secure priority for the necessary supplies of foodgrains.

Rolling Stock.

8. If, however, we are to continue to meet in future the high level of demand which is made on railway transport, we must have material to help the human effort. A large programme of wagon construction in India is in hand, and none too soon. The augmentation of our broad gauge stock is a matter of increasing urgency. So far, we have placed orders for 9,973 broad gauge wagons, of which we have received 265 and expect to receive about 6,207 by end of 1943-44. Of metre gauge wagons we have ordered 736, all of which we expect to get. Pressure has been maintained on the Governments of the United Kingdom and the United States for the supply of broad gauge locomotives and, although some of the outstanding orders on England have been suspended, arrangements have now been made for the supply of 40 heavy goods engines from America. Deliveries of these are expected to commence in June, 1943. Indian railways are also to receive 12 metre gauge heavy goods engines from England and 80 from America. It is hoped that the 40 heavy goods engines for the broad gauge will be followed by 145 more goods engines but the date, when these may be expected, has yet to be settled. It has been requested that arrangements be made for the supply of a further 150 broad gauge locomotives during 1944. The House will be interested to know that plans are already actively being prepared to set up a locomotive construction shop in India during the war if physically possible, although this is unlikely owing to the difficulty of securing the plant and raw material, and, if not, as part of the immediate post-war reconstruction plan. Special attention is being given to locomotive repair, in order to secure that the maximum number of locomotives are at work on the line at any given time. The target of engines under and awaiting repair at which we aim, is four per cent. in shops and eight per cent. in sheds, or a total of 12 per cent., a figure which the L. M. & S. Railway in England attains. Our latest figures show a percentage of 16·5 on the broad gauge and 13·6 on the metre gauge against an overall figure in the United Kingdom of 15·46 per cent. Since some of the railways already show very creditable figures, further improvement will have to come mainly from those with the highest percentage of locomotives under and awaiting repair. In order to make it possible for the railways to achieve this, it may be necessary to take back certain of the locomotive repair shops hitherto diverted to the production of war material. In the meantime, locomotives are constantly being transferred from one line to another as traffic demands.

Transport of Food.

9. At the moment, the question of food supply is uppermost in the public mind. But we are not facing a new situation. The railways and the departments of Government concerned with food had precisely the same problem to face during and after the last war with this difference that in 1918-19 there was a failure of the harvests to the extent of 20 million tons. This time the actual shortage of foodstuffs in the country is not of large dimensions but the effect of the comparatively small shortage which exists, combined with serious

[Sir Edward Benthall.]

maldistribution, raises a difficult problem. In the first six months of the current year the railways transported approximately the same tonnage of grains and pulses as in the previous year, over five million tons. Movements of sugar and salt by rail were in considerable excess of the previous year. The Railway Board have been alive to the urgency of the problem of transport of essential food supplies for civil population and, in close consultation with the Priorities Organisation of the War Transport Department, have for the last six months been giving special priority to the movement of foodstuffs. Generally speaking, whenever foodstuffs have been offered for transport, they have been moved without undue delay. Particular attention has for some time been given to the expediting of special consignments to deficiency areas and this will continue. So long as the need arises, foodstuffs will be moved in high priority, and if bumper rabi crops eventuate, as seems reasonably likely, and if confidence is restored, the railways must be prepared to meet exceptionally heavy grain movements which will tax their resources severely. But in all events the food will be transported.

10. I will now turn to financial results, as achieved last year and as far as we can now foresee for this and the next year.

Accounts for 1941-42.

When presenting the current year's budget, my predecessor estimated that the year 1941-42 would end with a surplus of 26.20 crores, out of which 19.12 crores were to go to general revenues. In the event, the actual receipts proved to be much better, and this in spite of the railways having reduced their passenger services and undertaken publicity to discourage travel. Our earnings reached an unexpectedly high level in the last quarter of 1941-42, and the gross receipts for the year were 2.27 crores above our revised estimate. Our ordinary working expenses were 36 lakhs more, and payments to worked lines 16 lakhs more. The net miscellaneous receipts were 4 lakhs less, but a slight reduction in the rate gave us a saving of 17 lakhs under interest charges. In the net result, the surplus was 28.08 crores, out of which 20.17 crores were paid to general revenues, 4.80 on account of the 1 per cent. contribution for the year and 15.37 towards payment of arrears of contribution. The railways' share of the surplus, 7.91 crores, was devoted to repayment of the debt to the depreciation fund.

Revised estimate for 1942-43.

11. In February last, when my predecessor presented the budget for the current year, he placed the estimate of gross traffic receipts for this year at 180.27 crores. This estimate too, is likely to be greatly exceeded. The anticipations now are that the receipts will be 149.25 crores, i.e., 18.98 crores more, which means improvement over last year of 14 crores. This large increase has occurred again in spite of the publicity campaign against unnecessary travel, reduced passenger services to conserve stocks of coal, and considerable curtailment of non-essential goods traffic. The causes are increase in military traffic and upper class passengers, withdrawal of reduced rates and third class fares quoted by certain railways in the past to meet road competition, increase in the basis of fares on the North Western and East Indian Railways, withdrawal of concession fares, additional charge on parcels and luggage, involving an increase from 2 annas to 4 annas in the rupee, withdrawal of special goods rates, imposition of additional charge of 12½ per cent. on fodder and food grains booked in small consignments. The increase in earnings has been almost continuous, though varying in extent, practically from the beginning of the year, except during the periods affected by political disturbance and widespread sabotage, when the decrease occurred only in goods traffic. Taking goods and coaching together, our monthly earnings have never been below those for the previous year.

12/ While we expect our gross traffic receipts to exceed the original estimate by 19 crores, we expect our ordinary working expenses to be 10.84 crores more than we originally estimated. This increase is due to the dearness allowance sanctioned at enhanced rates and for a larger number of our staff with effect from the 15th June 1942, loss incurred in supplying foodgrains to staff at less than purchase price, increased consumption and cost of fuel, air-raid precautions, militarisation of the Bengal and Assam and certain sections of the East Indian, Bengal Nagpur, Madras and Southern Mahratta and South Indian Railways, additional staff, overtime allowance, additional expenditure on repairs caused by intensive use of rolling stock, rise in prices and repairs to damages due to floods, cyclones, and sabotage and preventive measures against sabotage. The scheme of dearness allowance sanctioned in August 1942 is estimated to cost five crores a year.

13. Payments to worked lines will be 20 lakhs more than our original estimate, while there will be a small saving of five lakhs in the appropriation to the depreciation fund. The miscellaneous transactions show an improvement of 15 lakhs while, on account of a slight reduction in rate, our interest charges will be 19 lakhs less. As the net result of all these causes, we expect now the current year to close with a surplus of 86.28 crores against the original estimate of 27.95 crores. In the budget, we provided for a payment of 20.18 crores to general revenues against the then expected liability of 18.82. Owing to a larger payment in 1941-42 than we originally expected to make the liability to general revenues for the current year has been reduced to 17.77 crores. But, with the unprecedented surplus which we are expecting now and which we should attribute in a large measure to traffic connected with the war, Government consider that the general tax-payer has a legitimate claim to the full relief originally expected. We have accordingly decided, subject to the approval of the House, that the payment to general revenues should be the original figure of 20.18 crores. This will involve seeking the approval of this House to the outright payment of an extra-conventional amount of 2.86 crores to general revenues, to bring the total contribution to 20.18 crores. The railways' share will then be 16.15 crores, of which we shall devote 16.08 crores to repayment of debt to the depreciation fund and the balance, which is very small, to the railway reserve. With these payments, all the outstanding liabilities to general revenues for arrear contribution and to the depreciation fund for loans taken in the past to meet deficits will be fully cleared, if the transaction which I am about to propose is approved.

It is worth noting that, for the first time in the history of the railways; the strategic lines are likely to show a profit which is estimated at 12 Noon. 29 lakhs.

14. In 1940-41, when, with the moratorium, we divided the surplus in a particular manner with the approval of this House between general revenues and railways, the amount falling to the share of railways was credited to their general reserve. Last year, with the approval of this House, all payments made to general revenues from railway surplus, since the declaration of the moratorium, over and above one per cent contribution of the year concerned, were treated as discharge of the liability for arrear contribution due to them. A logical corollary to this is that the allocations from surplus, which fell to railways' share, should be similarly treated as repayment of debt to the depreciation fund. Government have therefore decided that the sum of 8.80 crores, credited to railway reserve in 1940-41, should now be transferred to the depreciation fund. This amount, along with the 16.08 crores I have mentioned above, will clear the present outstanding debt of 24.88 crores to the depreciation fund. If the anticipated surplus does not materialise, any liability which may remain uncleared, will be a first charge on the next year's surplus. On the contrary, if the year closes with a larger surplus, the excess will go to the railway reserve.

[Sir Edward Benthall.]

Estimates for 1943-44.

15. Ever since the outbreak of the war our actual earnings have considerably exceeded our estimates because of factors which we could not possibly anticipate. It would seem that railways have approached their maximum carrying capacity, though it may not be beyond the powers of the railwaymen to get even more out of the existing equipment, if everything were to go with perfect smoothness. To base estimates on any substantial further increase would, in our view, be unwise. On the contrary, should there be any reduction of internal activity or of imports, the current year's figures might not be reached by many crores. After weighing all the factors and taking into consideration 40 lakhs for the extra day in February, 1944, which will be a leap year, we have decided to place the estimate for 1943-44 at a figure slightly above our revised estimate for the current year, that is, at the round figure of Rs. 150 crores, fully conscious that any estimate that we make must be highly speculative under war conditions. Before leaving the subject of receipts, it is proper to mention that we are not contemplating any general change in the existing fares and freights next year.

16. Coming now to ordinary working expenses for the next year, we place the estimate at 2.58 crores more than this year's revised estimate, mainly on account of the loss we anticipate next year in supplying food grains and other necessities to the staff at less than purchase price. Increases and decreases under other heads balance each other, including a large increase in the cost of coal. There is a slight increase under appropriation to the depreciation fund owing to the purchase of the Bengal and North-Western and Rohilkund and Kumaon Railways. For the same reason mainly, we expect to have to pay 1.22 crores less to worked lines, while, on account of the increase in our depreciation and railway reserve fund balances, our miscellaneous receipts are expected to be 46 lakhs more. We shall also save 17 lakhs under interest charges.

In the result, our net surplus is estimated at 86.04 crores, only 24 lakhs below the current year's surplus. The surplus of commercial lines is estimated at 85.75 crores and of strategic lines at 29 lakhs.

The division of the surplus.

17. I have already explained to the House that, according to our present anticipations, railways will, by the end of this year, have completely cleared their liabilities to general revenues and to the depreciation fund. Under the existing Convention, the distribution of the next year's estimated surplus of 86.04 crores will be 14.59 crores to general revenues and 21.45 crores to railway reserve. Such an apportionment to general revenues will not only fall short of the amounts which they have received in the recent past, but will, in the opinion of Government, give inadequate relief to the general tax-payer in the present situation. We are, therefore, proposing, subject to the approval of the House, to abandon so much of the existing separation convention as provides for contribution and allocation of surplus to general revenues and to distribute the estimated surplus of 1943-44 on commercial lines between general revenues and railways in the proportion of 3 to 1, general revenues receiving also the anticipated gain on strategic lines. Under this proposal, the share of surplus which will go to general revenues next year, including the profit on strategic lines, will be 27.10 crores, while 8.94 crores will be transferred to railway reserve. We further propose that, till a new convention is adopted, the distribution of each year's surplus should be decided after duly weighing the respective needs of general revenues and railways, and the proportion of 3 to 1 must not be regarded as setting a precedent for future years.

18. In considering the proposed allocation of surplus, we have had to bear in mind two conflicting interests, the necessity of building up railway reserves and the need for assisting general revenues from railway surplus which, after

all, has accrued largely out of the expenditure of the general budget. Even if the Acworth Committee had not passed stringent comments upon the policy followed in the last war, the dictates of common business prudence, based on the experience of the last two decades, would impel us to take steps now to place railway finances upon a sound footing. It is also a duty which we owe to our successors, who in any case will be faced with extremely difficult conditions in the post-war period. The main question is whether the proposed allocations to railway reserves are adequate. In an attempt to assist general revenues, are we being generous at the expense of railways? On the one hand, we must consider particularly the provision of adequate funds to cover post-war rehabilitation and to meet our interest charges in periods of depression and, on the other, the plight of the general tax-payer. I am of the opinion that the measures, which we are proposing now, represent, for the present, a reasonable mean between the claims of railway and general finance.

19. Two vital considerations have weighed with the Railway Department in agreeing to the proposed method of allocation of surplus for the present. First, in the opinion of the department, it would be, from a financial point of view, thoroughly unsound to allocate such a large percentage of railway surplus to general revenues unless railways are relieved of the burden of a fixed contribution which, under the existing convention, is hanging over their heads, regardless of whether a surplus is actually earned or not. It is hoped that this wholesome principle will be fully recognised in any future revision of the convention approved by the House. Secondly, for the reasons which were so fully and ably expounded by Sir Frederick James and other Members of the Assembly in the Budget session last year, the Railway Department consider that the canons of sound railway finance dictate that, apart from contributions to the Depreciation Fund, at least eight crores per annum should be set aside annually to railway reserves.

Resolution regarding the Convention of 1924.

20. If the House accepts in principle the proposed allocation of the surpluses in the current year and in 1943-44, it will be necessary for the House to pass a resolution, setting aside certain terms of the Convention of 1924 to enable general revenues to be credited with an additional Rs. 2.36 crores in the current year and with 75 per cent. of the surplus on commercial lines in 1943-44. A draft resolution for this purpose, of which I am giving notice to-day, will accordingly be laid before the House shortly.

21. Experience, since 1924, has shown that the Separation Resolution of 1924 has not achieved its object in certain important respects. It is true that, in the first five years of the Convention's life, the railways earned a sufficient surplus to pay the fixed contribution to general revenues and to accumulate a reserve of 18.43 crores, but the deplorable effect of the settlement on railway finances is shown by the fact that, at the end of 1939-40, no less than 17.96 crores had been drawn from the reserve, the contribution to general revenues had fallen into arrears to the extent of 35.71 crores, and loans, aggregating 30.29 crores, had been taken from the depreciation fund to meet interest charges. It is not unfair to say that the failure to adopt a sound financial policy had brought railway finances into a most parlous position, from which they have only been rescued, for the present, by the abnormal conditions of a world war. Equally the Convention has failed in war time, since it has been necessary to introduce a moratorium from time to time in order to secure that general revenues might receive an extra share of the surpluses, which undoubtedly arise to a large extent from the expenditure incurred from general revenues.

22. It is proposed therefore at this juncture when for the first time for many years railway finances may be described as straight, to take the initial step towards a fresh settlement by setting aside so much of the 1924 Convention as relates to contribution and apportionment of surplus to general revenues and

[Sir Edward Benthall.]

providing for *ad hoc* settlements in each year until the House has decided upon a revised Convention. From 1943-44, therefore, it is proposed that, until a new convention is adopted by the Assembly, the allocation of the surplus on commercial lines between the railway and general revenues shall be decided by the House each year on consideration of the needs of the railways and general revenues, the latter being also credited, or debited, with the gain, or loss, on strategic lines.

23. It may be asked why Government propose to abolish the relative clauses of the Convention instead of merely suspending them for the time being. I have already given the answer when dealing with the division of the 1943-44 surplus. If the railways are to contribute generously to general revenues during the war crisis, it is essential that they should be freed from the burden of a convention which involves contributions to general revenues, even if there is no surplus. For this reason, a mere suspension would be an unsatisfactory expedient and would obviously necessitate larger amounts being set aside as railway reserve in the present prosperous times in order to meet contingent liabilities which are almost certain to accrue in the future.

24. I should perhaps make two other points clear at this stage. First, it is not intended to set aside any terms of the convention other than those relating to contribution and apportionment of surplus although, when the time comes, the House will doubtless wish to review the convention as a whole. Secondly, it is not proposed that the House should be asked immediately to consider the terms of a new convention, since it would not be appropriate to undertake this very important and arduous task, until it is possible to foresee, with greater certainty than is possible during a world upheaval like the present, the future trend of railway earnings, while the House and the public generally will certainly wish for ample time to consider all the implications. The policy proposed for the war period is designed to provide a flexible arrangement which, while relieving the railways of the necessity of making heavy provision out of the surpluses of prosperous times to meet future fixed contributions to general revenues, will enable them to make some substantial provision to meet post-war contingencies and, at the same time, make large contributions, when most needed, to general revenues for the benefit of the taxpayer. The general effect of the proposal is to relieve the railways of what amounts to a kind of debenture charge, which has weighed very onerously indeed on railways during bad times, and to enable general revenues to participate more liberally in the equity profits of the business during prosperous times. Government therefore confidently recommend this settlement to the House.

Capital and depreciation fund position.

25. The dismantlement of branch lines in connection with war requirements practically came to a close last year. Only 42 miles of track have been lifted this year, but a fair amount of rolling stock was sent overseas. The reduction in our capital from these transactions will be over two crores.

26. Our fresh capital expenditure on existing open lines is estimated at 3½ crores. We have, in addition, purchased the Mirpurkhas Khadro, Tapti Valley, Bengal and North Western and Rohilkund and Kumaon Railways, at a total cost of 19.92 crores, out of which 4½ crores representing the balance of the price of the Bengal and North Western and Rohilkund and Kumaon Railways will be paid next year. We have also reduced our capital by 43 lakhs by allowing the Baroda Government one-fourth financial interest in the Tapti Valley Railway. They had been holding shares, representing one-fourth of the total share capital in the Tapti Valley Railway Company from the time the line was constructed, and one-fourth of the line passes through Baroda territory. We have also sold to them, purely for administrative reasons, 72 miles of a narrow gauge branch

line of the Bombay, Baroda and Central India Railway, from Broach to Jambusar, with branches to Kavi and Dahej, for 28½ lakhs. The result of all these transactions is a net addition of 15½ crores to the capital at charge. The expenditure from the depreciation fund is five crores.

27. For the next year, our programme does not provide for either the construction, or the purchase, of any line or for any dismantlement but only for the payment of the balance of the purchase price of the Bengal and North Western and Rohilkund and Kumaon Railways. The rest of the capital expenditure will be on rolling stock and open line works, the most important of which will be locomotives and boilers (8 crores), wagons (3½ crores), carriages (1 crore) and track renewals (5½ crores). On the whole, we expect to spend 24 crores, 11 from the depreciation fund and 13 crores from capital.

Depreciation Fund.

28. The balance in the depreciation fund at the end of 1941-42 was 51.84 crores, and the outstanding debt which railways still owed to the fund, was 22.38 crores. During the year 1942-43 all this debt will have been repaid, and there will be a further accretion to the fund of 7.97 crores. The balance in the fund at the end of the year will be 82.19 crores. During 1943-44 the appropriation to the fund will be 12.84, and withdrawals 11 crores, resulting in an accretion of 1.84 and raising the balance in the fund to 84.03 crores.

Conclusion.

29. The foregoing review discloses an unparalleled activity and prosperity on the railways. The prosperity is illusory but, although critics will give the railways little credit for it, I would remind the House that it has been earned not as in other industries by a heavy increase in the price of what we offer, transport, but mainly by making the best of available equipment. As I said at the beginning of my speech, in war-time it is not the profits but the service rendered which must be the measure of success in railway operation. In the coming year, I pray, to use Mr. Churchill's words, that the railwaymen may escape blood and tears but, come what may, we will dedicate ourselves to another year of sweat and toil in the service of the nation and to the cause of Victory.

MOTION *re* THE SITUATION AS REGARDS FOOD AND OTHER NECESSARIES.

Mr. President (The Honourable Sir Abdur Rahim): Before I call upon the Honourable Mr. N. R. Sarker to move the motion that stands in his name regarding food supply, I should like to know whether any agreement has been arrived at as regards time limit for the speeches that may be delivered. I explained to the House what happened on a similar occasion, that is to say, the Government Member for his first speech takes 45 to 60 minutes. Will that satisfy on this occasion?

The Honourable Mr. N. R. Sarker (Member for Commerce - and Food): Yes: I won't take more than 45 minutes.

Mr. President (The Honourable Sir Abdur Rahim): For Leaders of Parties, 30 minutes.

Honourable Members: Yes.

Mr. President (The Honourable Sir Abdur Rahim): Other speakers, 20 minutes.

Honourable Members: Yes.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Mr. Sarker.

The Honourable Mr. N. R. Sarker: The motion that stands in my name runs as follows:

"That the situation in this country as regards food, fuel, drugs and the production and distribution of standard cloth, be taken into consideration."

I sincerely welcome this debate as it gives me an opportunity to place the actual facts of the food situation before the House and to describe the measures which the Government of India have taken or propose to take to tackle it. I am also eager, Sir, to derive the utmost benefit from the varied experience which Honourable Members can, I am sure, bring to bear on this subject.

The food problem has indeed become the foremost issue in the country for some time past and has given cause for anxiety to the public. The Government of India fully share this anxiety of the public and are determined to take effective measures to bring a speedy relief to the situation. I would admit that not all the control measures taken by us in the past have been free from defects. There has, however, been no conscious laxity or lack of will on the part of the Government to tackle the problem effectively. I would appeal to the House not to lay too much stress on the past and to give us instead their constructive help and support for the future. It is in this spirit that I approach this debate and I trust that the combined wisdom of this House would enable us to repair all admitted deficiencies and to improve, where necessary, the food policy as evolved by the Government of India.

I shall now present before you, first, the food situation. Though an agricultural country, India, it should not be overlooked, is not self-sufficient in her food supply. Until recently, she used to import wheat from Australia. Her dependence on Burma for rice was more marked, the imports averaging at 14 lakh tons a year. While imports have now been cut off, our requirements have gone up owing to several factors. Defence needs have increased. Some neighbouring countries like Ceylon, Arabia and others which formerly depended on Burma rice, have now come to look upon us as the only possible source of their grain supply.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): What is the figure for import from Australia?

The Honourable Mr. N. R. Sarker: I will give that later. There has been an influx of evacuees, and lastly, with better employment and more money in the pockets of the public in general, some increase in demand has taken place though it is difficult to indicate its precise extent. Until the last quarter of 1941 the food question had caused us no anxiety. Prices had shown a slightly upward trend, but after the unprecedented slump in agricultural prices in the thirties, this was welcomed and viewed with a sigh, not of grief, but of relief. Our real trouble began with the fall of Burma. With imports from Burma completely cut off, we were faced for the first time with a gap in the supply of one of our principal food grains. But the collapse of Burma came with an unexpected suddenness. Nobody could have made any provision against a contingency which nobody could have foreseen. The situation suddenly became acute. It was at this stage that the Government of India started the "Grow More Food" campaign. The short-run possibilities of such a campaign are no doubt limited, but the results achieved up till now must be considered as satisfactory. According to the latest statistical information there has been an increase in rice and wheat areas of 14 lakh and 16 lakh acres respectively, as compared with figures of previous years. As much as four million acres have been diverted from short staple cotton to millets. The total increase in millet acreage has been estimated to be no less than 40 to 50 lakh acres. Unfortunately, agriculture in this country is largely a gamble in monsoons. The failure of rains in the Bombay Province has adversely affected the millet crop and a cyclone in Bengal has partially damaged the rice crop while the Indus floods.

have halved the exportable rice surplus of Sind. Increase in production has therefore not been proportionate to the increase in area. I need not, however, tell the House that but for this timely initiation of the campaign, we would have been very much worse off now.

I wish I could give the Honourable Members an exact picture of our present statistical position. Our figures of production and consumption are, however neither complete nor free from defects. The machinery for collecting and compiling these figures is not well developed. It is palpably inadequate in the permanently settled areas which produce nearly half of our largest staple crop, namely, rice. There are no estimates of stocks carried over from one year to another. Steps have now been taken by the Education, Health and Lands Department to improve the statistics in certain respects; but, of course, it will take time before results are achieved. In spite of these difficulties, however, I would try to give the House a rough idea about the present position.

The rice crop in some areas like the United Provinces, the Central Provinces, Bihar and Bombay has been considerably above normal, though the total crop was affected by the damage done to the crop in Bengal and Orissa by the recent cyclone. As at present advised, the all-India total rice crop would be short by ten lakh tons this year as compared with the average for three pre-war years, but we confidently expect that a further improvement would be revealed when the final forecast figures are published by the end of this month. As for millets, the crop has been in excess of normal, the 1942 *bajra-jowar* crop being estimated at 92.4 lakh tons as against the pre-war average of 91.8 lakh tons. I am also glad to announce that according to the latest reports the prospects of the *rabi* crop are most encouraging. To draw a final balance sheet, the net gap in our total supply of foodgrains during 1943, after taking into account the increase in our requirement, will not exceed two million tons. This means a deficit of no more than four per cent. in our total annual production of principal foodgrains. I should like to point out here that in some of the years immediately preceding the war we pulled through equal or bigger shortages without feeling much strain. The carry-over from previous years might no doubt have stood us in good stead, but even after allowance has been made for this, the House will agree that the estimated deficit as such is certainly not of an order as would warrant any panic or alarm.

The scarcity of which we hear so much at present, is confined almost entirely to the urban centres of the country. Nearly 75 to 80 per cent. of the population are agriculturists who consume the food which they themselves grow. Save for a few tracts, mainly those which have suffered from the failure of October rains, they have rarely, if ever, had a level of income they now enjoy, thanks to the favourable season and high prices. When therefore we think of the food situation in the country we should always remember that the great proportion of our population is left practically unaffected by the present difficulties. The places where the shortage is most acute are the urban and industrial centres, which depend for their supply of foodgrains on the rural areas of their own provinces as well as those of others. For reasons which I shall presently discuss, the flow of foodgrains into the urban market has considerably slowed down with the result that food has become scarce and prices have risen high. While judging this problem we must therefore keep our perspective right. We must realise that there is no suggestion of a famine in the country, but of a stringency which we hope will be temporary, in the urban centres of the non-agricultural population.

Before proceeding further I may briefly refer to one or two misapprehensions. Our difficulties have at times been attributed to excessive exports. I have already given and shall have further occasion to give, figures of exports in answer to questions in the House. I may now mention that the present quantity of foodgrain exports to our neighbouring countries would hardly come to $\frac{1}{4}$ per cent. of our total foodgrain production. As soon as the food position

[Mr. N. R. Sarker.]

in India began to cause anxiety, Government took prompt steps to control all exports of foodgrains and has since then restricted them to a bare minimum. In recent months quantities of foodgrain exports allowed to Ceylon and Arabia have been reduced still further. The Government are taking all measures open to them to relieve this country of as great a part of this responsibility as possible and to reduce the external demands on India's foodgrains to the lowest possible limit.

Sometimes our shortages are attributed to excessive demands on the part of the Defence Forces. I have gone into the matter carefully and can assure the House that though the demands of the Defence Forces have risen with the increase in their numbers, the prevailing notions are exaggerated. Naturally I cannot reveal the exact quantities of grains which are purchased for the Army, but in this connection I wish to stress the fact that consumption of Army supplies is restricted to the members of the Defence Forces and they are not used, as is sometimes believed, for feeding the civil population as well in the Middle East. Deviations from this rule are very rare, and it is only in exceptional circumstances when it has proved impossible to feed the civilian labour engaged on Defence Works from any other source, that Army supplies are used for them.

Thus, neither the volume of our present exports nor that of military demand can, by themselves, explain our present difficulties. To some extent, they may be attributed to the stoppage of Burma rice imports. But, by and large, the factors which are responsible for our present difficulties may be traced to the impact of the fall of Burma on the confidence of the people. The Honourable Members are fully aware that, not so long ago, the country was apprehensive of a Japanese attack or of a possible invasion and a dislocation of the transport. A sense of uncertainty gripped the minds of the public. In such an atmosphere of universal nervousness every one—from Governments to individual—was more alive to his own immediate interest than to that of the country as a whole. Cultivators thought it wise to hold back their surplus stocks either as an insurance against want or in the hope of a rise in prices. The consumers resorted to panicky purchases and laid up stocks far in excess of normal requirements. Speculators with the sure prospects of higher prices and larger profits, piled up stocks. Even Provincial and State Governments were not immune from the general nervousness and took steps to safeguard the interests of their own administrative regions. Thus an anomalous situation developed. The normal channels of supply were largely choked and whatever quantities appeared on the market were snatched away by the first-comers. And while the deficit areas clamoured for supplies, surplus areas betrayed a marked reluctance to part with their surpluses. As a result of all these factors there developed acute regional shortages, especially in urban areas which were out of all proportion to the actual deficit in our total supply. Thus, the fact that there is enough or almost enough in the country, is in itself no guarantee that, at a particular time, there will be enough at every point. Even if supplies are adequate, the question how they are spread over the country is all-important. In short, procurement of the available surpluses and their equitable distribution constitute the crux of the problem.

I may point out here that price control by itself does not ensure an effective distribution, nor can it be maintained without the control over demand and supply. The food situation became acute so suddenly that Government had to improvise measures to keep it under control. Maximum prices were therefore fixed in certain cases. The drawbacks of the policy became clear when stocks were diverted to the black market. One of the first tasks of the new Food Department is therefore to rectify certain admitted deficiencies of the existing control and, as I shall soon mention, steps are now being taken in that direction.

It may be argued that if Great Britain has to a large extent successfully controlled the prices of necessities, there is no reason why India should not be able to do the same. A little reflection will reveal the vital difference between British and Indian conditions. Great Britain is a small country under one homogenous administration. The bulk of her cereals is imported and immediately on arrival passes under the control of the Government. The internal supplies come from a comparatively small number of substantial farmers who conduct their agriculture on commercial lines and grow their produce primarily for sale. In addition, there are even in normal times, large nation-wide Associations of producers and traders, many of whom are under Government or semi-Government supervision. In such circumstances, the task of bringing the whole of supply under Government direction and control, though formidable, is not impossible. The situation in India is entirely different. The country is vast and her communications are not well developed. Her foodgrains are produced by millions of small subsistence farmers who retain for their own consumption the greater part of what they grow. Nor are there any nation-wide producers' or commercial organisations which could be taken over by Government for securing and controlling the food supply. Government control of all supplies and general rationing are now universally acknowledged to be the twin pillars on which an effective food control rests. I am sure the House would recognise that under Indian conditions neither of these measures can be regarded as within the bounds of practical politics in the peculiar circumstances of the country.

The first and foremost task before the Food Department is to counteract panic and to revive the normal flow of grain to the market. For only then would the Government be in a position to procure available surpluses and distribute them on an equitable basis amongst the deficit areas. If confidence can be restored and the normal channels of trade opened, the opportunities for commercial hoarding will be reduced and the individual consumer will have less inducement to carry excessive stocks. With a view to inducing grains to the market, the Government of India have recently decided to remove the maximum control price which they had prescribed for wheat. As a second line of defence, they have arranged for the import of substantial quantities of wheat from overseas. The effect of these two measures has been seen in the past few days. The Government Agents operating in the Punjab have been able to purchase over 60,000 tons of wheat as against the 8,000 odd tons which was all that they could purchase during the month previous to the lifting of the control price. These purchases have no doubt been effected at a price considerably above that fixed by the recent control measures. It is, however, an encouraging sign that the price despite the heavy purchases of the last few days is still falling and there is good reason to hope that it will fall still further.

Government do not, however, propose to relax all control over the trade in grain. While their policy is to free the primary wholesale markets from price control, they contemplate that the retail prices for grains will continue to be controlled on the basis of the prices in primary wholesale markets. They also consider it essential to retain and intensify the control over inter-provincial movements of grain. The situation is not sufficiently normal and it would not be safe to leave the movement of grains to the free play of economic forces. We have still to reckon with the loss of Burma rice; we have also to make allowance for the fact that transport facilities are not as easily arranged as in times of peace. To secure an equitable distribution of the available supply, the Government of India intend to retain their control on movements. If left completely uncontrolled, grains would flow to places where the ruling prices are the highest, and not to places where the need is the most urgent so that the necessity for adjustment will continue to persist. Moreover, grains in transit could be easily diverted into 'black markets'. For this purpose the

[Mr. N. R. Sarker.]

Government policy is to set up buying agencies which will work under the direct control of Provincial Governments but on lines laid down by the Central Government. The grains purchased for the Central Government will be utilised for supplying deficit areas and the requirements of the Army. No one other than the Government Purchasing Agencies will be allowed to export foodgrains beyond a Provincial boundary. In my account of this scheme I have so far referred only to Provincial Governments. It is hoped, however, that the States also will fall into line, in which case similar arrangements will, *mutatis mutandis*, apply in their case also. The distribution of the exportable surpluses will be made by the Central Government in accordance with the general requirements of the country. The distribution of the grain thus made available will be solely the responsibility of the Provincial and State Governments, subject to such supervision by the Centre as may be found necessary.

In order to ensure that the quotas allotted to the deficit areas actually reach the consuming public and are not diverted on the way into the black market, all consignments effected through the Government purchasing scheme will be despatched to officers or nominees of the importing Administration. It will then be the duty of that Administration to ensure that the goods come into the possession of the consumer by whatever means—Employers' grain shops, Government grain shops, Licensed retail dealers—are considered most suitable in the circumstances prevailing in each case.

It is only to the extent explained above that the Government propose to interfere with the normal movement of trade. They, by no means, want to oust the established traders altogether from their business. The Government Purchasing Agencies are expected to utilise the services of the established grain merchants in effecting their purchases. Practically the whole of the business of supplying the internal markets of a Province will be left to the ordinary trade activities. Government, however, is taking entire charge of the grain export business. We are confident that given the co-operation of Provincial and State Governments as well as of the producers, the traders and the consumers, the problem now facing India can be solved without any serious interference with the normal habits of life.

I am aware of the feeling that the food problem should be treated on an All-India basis and, if necessary, the Government of India should not hesitate to consider a revision of the basic powers of the various administrative units in this respect. Let me assure the House that there is no reluctance or hesitation on the part of Government to take every measure that on its own merits may be deemed necessary for tackling the food situation. I would, however, emphasize that whatever policies are ultimately adopted will have to be enforced through the established administrative machinery of the Provincial Governments. Cordial co-operation and understanding between the Centre and the Provincial Governments are therefore ever so vital for the formation and putting into operation of an effective food policy. In a country where the administration is shared by more than one Government, there are inherent limitations on the uniform enforcement of common policies and common measures. The House would also realise that the position of Indian States makes it imperative that the measures and policies connected with the food problem have to be enforced through understanding and agreement with the States. The Government of India are trying to get the Indian States to accept the common policy adopted for the country as a whole and I have every hope that a uniform and co-ordinated policy will be followed by all the Provinces.

I can now briefly sum up the Government's present food policy.

First, *improvement of the supply position*: For this purpose, Government are intensifying further the "Grow More Food and Fodder Campaign". They have arranged for imports of wheat from overseas and are scaling down their

exports to neighbouring countries. To the same end there will soon be a drive to cut down all internal wastage in food consumption.

Second, *a freer flow of grains*: To attain this we have to restore confidence among the public and the trade and with that end in view price ceiling on wheat has been removed and steps are being taken against speculative hoarding by middlemen.

Thirdly, *an equitable distribution of the available supplies*: To implement this, Government have taken over full control of the inter-provincial movements of grains.

Finally, *protection of the interests of the consumer*: To achieve this purpose, all supplies to deficit areas will be on Government account or that of the nominees of such Government. The respective Provincial and State Governments will have the main responsibility for distributing grains among the consumers. They will take effective steps to prevent hoarding and to make the grains available at reasonable retail prices.

These, then, are the major features of our present policy. I do not in the least claim that this policy is free from limitations. But, I do submit to the House that these limitations are inherent in the peculiar conditions in India, under which we have to work. I can assure the Honourable Members that nobody would be happier than I to work towards a more perfect national food policy. Every constructive suggestion from the Honourable Members will receive the closest attention from me and it is in keen expectation that I am looking forward to the forthcoming discussion.

Now, with regard to the Standard Cloth, I very much regret that the Standard Cloth has not yet been placed on the market. There has, however, been no lack of initiative on the part of the Government in this particular matter. Indeed for now well over a year the Government have taken all possible steps to expedite the execution of the scheme. The delay has been entirely due to difficulties which they could not, in spite of all the good will, overcome earlier. The present position has been fully explained in a press note which has recently issued on the subject. I shall therefore be very brief in my present statement.

Last year the Government of India reached an agreement with the industry, the broad features of which were: (a) 5 per cent. of the productive capacity of the industry should be set apart for standard cloth production, which would give about 200 million yards a year, (b) the Provincial Governments should either buy the cloth from the mills or give a guarantee to any agency undertaking the distribution against risks of loss through unsold stocks and (c) Provincial Governments should set up an adequate machinery for distribution to prevent profiteering and to ensure that the cloth would reach the consumers at the lowest possible price.

Most of the Provincial Governments, however, did not evince any interest in the scheme. Even some of those who accepted it could not fulfil the specified terms on which the industry agreed to produce standard cloth. Moreover, just at the time when some provinces were veering round to accept the scheme in all its implications, political disturbances broke out in the country. The Ahmedabad Mills remained closed for a long time. All this naturally caused further delay in the execution of the scheme.

Meanwhile, there were indications that the public demand would be much larger than had been previously anticipated. It was felt that 200 million yards represented too small a quantity and would not touch more than a fringe of the problem. On the basis of further consultations held with the industry, a revised scheme has now been evolved. According to the arrangements now made, the financial responsibility will, in the first instance, devolve on the Central Government. The Central Government will allocate the cloth to Provinces and States on a population basis. 1,500 million yards of Standard Cloth will be available every year while 50 million yards will be produced in

[Mr. N. R. Sarker.]

the first quarter of the current year. It is hoped that the cloth will reach the market by April next. All necessary arrangements both for production and distribution are being made.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the situation in this country as regards food, fuel, drugs and the production and distribution of standard cloth be taken into consideration."

Sir Henry Richardson (Nominated Non-official): First of all let me express to the Honourable the Commerce Member our gratitude and satisfaction for the ready manner in which he has met the obvious desire of the House to discuss a subject which, I venture to submit, holds a place of importance second only to the actual war itself. The problem of food supply together with all the other equally important questions such as price control, dearness allowances, hoarding, black-markets, provincial policies, propaganda, crop planning, etc., which are inseparable from the main problem, these have all been brought home in an ever increasing pressure to rich and poor alike during the past few months. But, as far back as March last year, when the House discussed an Adjournment Motion on the shortage of wheat and wheat flour in Delhi, the Government were made aware of the anxiousness prevailing at that time. The then Commerce Member, Sir Ramaswami Mudaliar, in the course of the debate said:

"We are living in dangerous times. It is obvious that food shortage is one of the most serious things that any Government will have to deal with. It is also obvious that any question of such serious food shortage would have repercussions not so much even on the administrative machinery as on the whole society."

That, Sir, was Government's admission nearly a year ago.

Then, Sir, Government were given a second warning during the debate on the situation in India in this House last September. My colleague, Mr. P. J. Griffiths in his speech on that occasion attributed the food situation and the feeling that Government were not tackling this problem with sufficient earnestness, as one of the causes of the disturbances. Mr. Griffiths told Government quite plainly that every Party in this House and every party in the country demanded that Government should apply its mind, with greater vigour in the future than it had done in the past, to settling and solving this problem of providing foodstuffs and essential commodities for the people of this country. The situation went from bad to worse and it was not until the middle of November that a separate Department of Food was established, a step which in our view should have been taken at least six months earlier and I do not think it is an overstatement to say that Government's failure to deal with the situation has not only done much to lower Government's prestige, but has also, to a large extent, offset the improvement in the general condition of the country which was becoming evident. For the fact that things are not even worse than they are, Government owes a debt of gratitude and acknowledgment of the initiative of the commercial community who organized supplies of foodstuffs at their own expense and arranged for their workers to buy these supplies at reasonable rates, in order to save a rapidly deteriorating situation in which there was grave danger of labour leaving mills and factories forcing them to close down. Had not commercial interests assisted in this manner, I dread to think what might have happened or to imagine what untold harm might have been caused to the war effort.

I believe the new Department commenced work from 2nd December last and we have seen from the press announcements that it has taken over administration of all measures for control over prices, supply and distribution of foodstuffs and for the procurement and purchase of the requirements of the army which were the concern of the Commerce and Supply Departments.

respectively. Two and half months have elapsed and we have heard this morning from the Honourable the Commerce Member some of the steps which his Department has taken. We have heard that the price of wheat is now uncontrolled, that imports of wheat are going to be made and that large purchases of wheat have been made on a falling market. We have heard that Government will retain grain control of movement, that they are going to set up buying agencies under the control of Provincial Governments, but on lines laid down by the Central Government. We have heard of steps by which he hopes the consumers will get foodstuffs and that there will be no reluctance on the part of the Central Government to take every measure for the operation of his Department on an all-India basis. This House, during the course of this debate will no doubt judge of the adequacy of these steps, but it is really too early to say very much at the present time.

In the time at my disposal, I can only deal with two questions, namely, hoarding and the attitude of Provincial Governments both of which we regard as of primary importance in the successful operation of the new Department. Taking hoarding first in which is connected black market sellers, I think it is here that Government's reputation has suffered most and in making that remark I include Provincial Governments. During December, especially as regards rice in Bengal, the situation was allowed to get completely out of hand. No attempt was made to punish speculators and hoarders or to seize their stocks, although it was officially admitted that the soaring prices were mainly due to their activities. Government communiqués were couched in such weak terms that their effect could only be to encourage rather than deter profiteers. The imposition of petty fines in those cases which were brought before Courts made Government a laughing stock. What is wanted is firmness in dealing with hoarders for profit and I was very surprised that amongst the recommendations made by the Central Food Advisory Committee at its meeting held this month not a word was said on this subject.

I admit one recommendation said that "all measures be taken by the Central Government that would operate to restore public confidence" but instead of giving its support emphatically to measures against hoarders, the Committee's recommendation merely went on to say "in particular, the true facts concerning Army consumption of food stocks should be made known" and so on. Sir, no Government can by itself defeat the hoarder, the profiteer and the black market. Public opinion alone can do that and I sincerely hope that during this debate, Government and the country will be left in no doubt whatsoever of the very strong feelings which exist against the hoarder for profit and of the whole-hearted support which will be theirs in any measures which may be taken to punish these enemies of society. I believe the Defence of India Rules and the Food Grains Control Order have recently been amended so that for the first time confiscation of commodities will be added to imprisonment and fines as a deterrent penalty for hoarding. This is all to the good but the question is will Magistrates have the courage to make the punishment fit the crime? Will Governments see to it that Courts stop playing with what the Honourable the Commerce Member himself admitted at the recent Central Food Advisory Council Meeting was a cause of lack of public confidence, namely, large-scale hoarding? That is what he said himself. Sir, speculation, hoarding and profiteering must be put a stop to. The time has come when the public demands that these crimes must be severely punished and that penalties of long term imprisonment and fines, which will act as a deterrent, must be imposed. If it is necessary to do so, a specific rule dealing with these offences should be issued.

I will now deal with the other question, namely, the attitude of Provincial Governments. It is quite evident from Press reporters that certain unresolved conflicts between certain Provincial Governments, have seriously handicapped the Central Government and will continue to do so unless they are persuaded to realise that the solution of this question can only be effected by its being

[Sir Henry Richardson.]

handled as an All-India problem. Provinces which, because they happen to have surpluses, take up an attitude of isolation and regard their favourable position as a heaven-sent money-making opportunity can seriously interfere with the position in other Provinces and can, by such action, assist and encourage black-market dealers. I am aware that there are certain cases of past history which affect this question and I know that it may be considered present high prices are not unreasonable where unduly low rates were prevailing for long periods in the past. But these are matters which, in these times of danger and stress, must not be allowed unreasonably to interfere with any general scheme for the need of the country as a whole which the new Department and the Government of India may deem necessary. I hope, Sir, in his reply the Honourable the Commerce Member later on will tell us what powers, if any, have been taken to control the Provinces remembering that the all important and vital problems of crops planning and statistics come very largely within this question.

Finally, Sir, obviously what is needed most of all is a return of public confidence. The Honourable the Commerce Member comes from the same Province as myself, and I may perhaps therefore be permitted to say to him, as one Bengali to another, show us that this new Food Department has the ability to do its job, convince the Provincial Governments of their responsibility to All-India, bring the Native States and their secret reserves into co-operation, and declare here on the floor of this House that it is the firm intention of this Government to see to it that the people of India will not starve. Both Provincial Governments and private interests must be made to realise clearly that the food which India produces will reach its normal consumers wherever they live whatever the difficulties. Once it is realised that the Central Government will exercise the authority that it has every right to assume, opposition will decline but "too late and too timid" will never make this clear. I personally believe that provided Government acts promptly and vigorously the situation will right itself within the next two or three months. This I say because present and future prospects indicate no vital shortage and because general confidence is steadily returning. But this House and the public outside require to be re-assured that the Central Government is fully decided upon resolute action, action moreover which will for once have behind it the full approval and support of all the peoples of India.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I have no desire to detain the House in discussing this issue on a very wide scale although the Resolution before us is wide enough for anybody to talk for hours and hours together. But I would just like to make...

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows that time has been fixed at twenty minutes.

Mr. Muhammad Nauman: That is why I said that within the time limit at my disposal I will not be able to survey the entire situation, but I would confine my comments to what the Honourable the Commerce Member has just said. He said that the food situation in his opinion was only serious in urban areas, and not in the rural areas, because he thought that 75 per cent. of the Indians were engaged in agriculture and agriculturists were not at all hit by any acute food problem. May I inform the House, Sir, that this is an absolutely erroneous idea which the Honourable Member has got. Probably he does not realise that although 75 per cent. of the people in the country are engaged in agriculture, the average individual holding is so small probably not more than three acres each which would not allow even one family to survive with the entire production of crops, and that average acreage which the individual farmer has is not only not sufficient to give him the necessary food but is not enough to give him any other necessities of life. And so I feel to tell the House that the Government is working on wrong premises and is

moving in a vicious circle. The actual position is that the people in rural areas are more miserable than the people in urban areas. The Honourable the Commerce Member may think that this is probably limited to towns because he mixes in a circle which will probably not feel the pinch even if rice were selling at 1 seer or even half seer to a rupee. Does he know that in this country even at the normal times when wheat was being sold at 18 seers to a rupee, probably half or one-third of the population went without food and he can imagine what may be the condition of the average Indian in this country when wheat and wheat flour is being sold on the average of three seers to a rupee.

Now, Sir, there are other aspects on which the Honourable Member did not touch, and I do not know why. The real explanation which we wanted on this issue was that during the years between 1930-1937, when the Lyallpur wheat was being quoted at 2/4 and 2/8, the flour in Indian markets was being sold at about 14 seers to the rupee. Now the Lyallpur wheat is being quoted at about Rs. 6/8. Government have never quoted Lyallpur wheat at more than Rs. 6/8, and I would like to have the reply of the Honourable Member as to when was the Government control at any higher rate than Rs. 6/8 which means only two and half times of the old rate but the flour in Delhi and other markets is being sold at 3 seers to the rupee or five times over the old rate. I moved an adjournment motion in this House on this issue in April of 1942 and Government then said that they were alive to the situation and that they were taking all precautions which were necessary and possible to ease the situation. The Honourable Sir Ramaswami Mudaliar, the Member incharge then, assured the House that Government was needfully alive to the situation. But in spite of this what has happened? Many Honourable Members of this House before me have said that it has been deteriorating and deteriorating every day, and nothing has been done so far. The entire Commerce Department and the control officers are only sitting at their tables and preparing their statistics or paper reports without doing anything useful in this direction. Certainly with the portfolio having been given to an Indian Member of this country, we thought that he would be in a better position to realise the miseries of the people and relieve them in a better manner than we would have expected Members from England to do this. But we find that nothing has been done and probably the Indian Member is as good or as bad as the European Executive Councillors who neither claim knowledge of the conditions of the Country nor can have that feeling of sympathy with the inhabitants of this Country. That is the unfortunate position in which we stand and that is what I want to impress on the Indian Member of Commerce. We expected something better, at least a better speech from the Honourable Sir N. R. Sarker than what he has given us.

The resolution refers to many other commodities of essential life, but he only referred to two things—the food problem and standard cloth. Of course, I do not want to make my comments on standard cloth. I will leave it to my other colleagues to deal with that. What I want to say is this. Does the Honourable Member realise that the question of coal, kerosene oil, sugar and a few other things have been equally intense, and the situation has been correspondingly tragic? In hundreds and thousands of villages—I know personally so many of those villages—people have had to go without any light and were exposed to all sorts of robberies because no kerosene oil was available. The Honourable Member then referred to the campaign started under the name of "Grow More Food". That theory will not probably apply to collieries. What about the coal? Why have you not been able to make a readjustment or redistribution? "Grow More Food" was referred to by the Honourable Member of the Government without any substantial result at all, or, as a matter of fact without any result yet. The Honourable the Commerce Member has confessed, that even in spite of his best efforts, there is a deficit of 4 per cent., and that there will be a greater deficit, which he cannot calculate on paper.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may continue his speech after lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after lunch at Half Past Two of the Clock, **Mr. Chairman**, Syed Ghulam Bhik Nairang (one of the Panel of Chairmen) in the Chair.

Mr. Muhammad Nauman: Sir, I would like to resume my speech from where I left it off this morning, but it is somewhat surprising and even strange that the Honourable the Commerce Member in charge of this motion is not in his seat. I do not suppose it is the parliamentary practice that the Minister in charge should be absent when an Opposition Member is on his legs and criticising his policy. I trust the Chair will take steps and see that the Government is represented on the Treasury Benches before I address that Government which I want to address. Sir, I find to my surprise further that not even a quorum is present and perhaps, Sir, you will

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member will kindly resume his seat.

(The bell was rung and the quorum obtained.)

Mr. Muhammad Nauman: Sir, I was just referring to the coal position and saying whether the Honourable Member could give any figures to show that there was dearth of coal in India or that the Indian collieries had exhausted themselves. If not, why has not the Commerce Department of the Government of India taken proper steps for coal distribution? The Honourable the Commerce Member is pointing to the Transport Member and probably is pleading that it could not be done on account of transport difficulties. Sir, when I am addressing the Government, I mean the entire Government—whether it is the Commerce Department or the Transport Department or the Supply Department or any other. It is the duty of the Government of India as constituted today to make all the departments co-operate in their work in order to give facilities to the people. Plea can be found and arguments can be advanced by one department that such and such a thing could not be done owing to the failure of the Transport Department to provide sufficient wagons; but can that argument hold good at all? Does it take us anywhere or take away from the Government's shoulder responsibility for the proper distribution of commodities? It only shows that the Government has failed in having proper distribution and proper control of essential commodities which are in the country in abundance, and coal is one specimen.

The Honourable the Commerce Member did not make any reference to kerosene oil and the failure of the Government in this respect. Perhaps the responsibility here also might be shifted to the Transport Member and the argument may be advanced that there were not enough wagons for proper distribution. Whatever the arguments may be, my position is that the Government has not done what it should have done. When I moved the adjournment motion on "Wheat situation" about a year ago, the reply of the then Commerce Member, Sir Ramaswami Mudaliar, was that everything will be done and Government would see to it that destitution does not exist. Conferences after conferences for price control and regulation of food supplies and all kinds of essential commodities are being held every now and then, but they have probably resulted only in putting a burden on the public exchequer in the shape of travelling and other allowances to government officials and their satellites, without in any way improving the general situation in the country in any direction.

I have referred to three commodities. I come to a fourth one, which is of no less importance—sugar. The Honourable Member did not mention this one also when he was making his speech. The province from which I have the good or ill fortune to come has so many sugar mills and claims to have the best productive areas for sugar cane; but what happened? Even in Bihar sugar was

not available, except in the black market, at the rate of 8 or 10 annas a seer when the fictitious control rate was five annas per seer. In the Calcutta market, till so recently as December or the early part of January, 1943, it was not available at all unless for 10 annas a seer in the black market, whereas the controlled price used to be 6 annas a seer. What is the use of having a fictitious control price, I want to know, when you are allowing things to go on in this fashion? The Honourable the Leader of the European Group speaking just before me said there was no question of deterrent punishment; it was encouraged by high Government officials who allowed traders to make money in the black market, thinking probably that their life's opportunity had come to exploit the people in this manner. From the reply which the Honourable Sir Ramaswami Mudaliar then gave, we only understood that wheat, which was selling in the normal days or the depression days at Rs. 2-2-0. Lyallpur was raised to Rs. 4-6-0 a maund, although actually at that time wheat flour was being sold at about 10 rupees or 12 rupees a maund. What was the sense in having a controlled price of Rs. 4-6-0 which was entirely fictitious? The Honourable Member himself knew that it was fictitious and had no bearing on the real position. I, therefore, want to say that conferences will not help us, but Government should adopt a comprehensive policy in consultation with people who have experience; and the Commerce Member being an Indian himself, he probably can know more than many others; and if he makes an honest effort, I have no doubt that he can do much better than what he has done up till now, if he is sincere. My concrete suggestion is that there should be Central control, of course with the co-operation of the Provincial Governments. But whatever you decide, you decide once in consultation with others; it is no use holding conferences after conferences and going round the length and breadth of the country making a false propaganda amongst the people to the effect that you are going to give them some relief, while no relief is contemplated and probably there is no intention of giving any relief against the miserable conditions in this land. Why make such pretensions when there is no sincerity of purpose. They are under delusion and can be compared to a promise to a dying patient, who is always told that the best doctor is being imported from abroad, so that probably he may live up to this hope and the patient will die before the doctor is imported or has any opportunity to reach the place of the patient at all. That is the position. According to Government representative's own statement the situation was bad, a year ago, and it is deteriorating. We find that so far no improvement has been made, and we can come to no other conclusion except than that you want to keep us in "Make belief". The time has come when the Honourable Member and all the other Members of the Government should co-operate to devise a scheme of centralised supervision and control. They should license all the merchants or $\frac{1}{4}$ th of merchants in different areas and tell them definitely at what rates and prices they are required to sell, wholesale and retail and if any deviation is found there should be deterrent punishment, not only with fine but imprisonment. What has been the practice hitherto? The practice has been that if any merchant was found hoarding or selling in the black market he was fined Rs. 200 or so. The fellow did not mind Rs. 200 when he had made, say, Rs. 20,000. On the other hand, it would seem a sort of encouragement as the previous speaker, the Leader of the European Group said and it is absolutely true, it has been true in every big and small place, and is more true of the rural areas. The Honourable the Commerce Member should come out with a concrete suggestion and a cut and dried scheme which would be worked on the lines on which they are working in England and elsewhere.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

Mr. Muhammad Nauman: With these words I resume my seat.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): With the war not only the scarcity of food comes in, but the question of scarcity of drugs and medicines also arises. Just as the question of food scarcity faces the Government and faces the public, similarly the question of drugs also faces the country. In the last war the question arose about the supply of medicines. In 1914—18 war, the question of supply of quinine as well as of serums and drugs also arose. In those days also prices had gone up so high that ordinary medicines which were of every day use were outside the purchasing power of the ordinary citizen. In these days also things have recurred. History repeats itself. The price of quinine has gone up. Quinine which used to be sold at Rs. 20 per lb. is now being sold for Rs. 250 per lb., and yet it is not available in the market. I have seen cases in my own province where doctors have sent back patients because they had not quinine with them. They prescribed some other substitute drugs, but themselves said that the remedy would not be so effective. This shortage arises because imports are stopped, that is one thing; for the army, medicines are commandeered, that is another thing; and the country is not allowed to manufacture drugs.

I say so deliberately because the policy of the Government has not only been not to help the manufacture of drugs, but to obstruct it. I will give you some instances. For instance, Tincture Digitalis is an important drug. In the days of the last war certain persons like Dr. Chopra and others wanted Tincture Digitalis drug to be manufactured in India. They found out one herb in the Himalayas out of which the drug could be manufactured. The drug was manufactured and sent to England for being examined, to see whether it would answer the tests. And the tincture was certified to be good, it was even stronger. But why was it not manufactured on a large scale? Because the sole monopoly of this drug belonged then to Burroughs Wellcome, a British Firm, and evidently, as that company was interested very much in this drug, i.e., making huge profits, no permission was given to manufacture this drug in this country. India's exploitation by the Foreign firm was allowed. The same policy persists even now.

Malaria takes a big toll in this country by thousands, and quinine is not available. What is to be done? There is one German patent by name Atebrin. As we are at war with Germany, the patent has lapsed, it ought to lapse. That being so, Government should have allowed its manufacture, but they did not. Trials were made for manufacturing this in Bombay in the Haffkine Institute and they manufactured this drug. This drug could be manufactured for Rs. 20, and they wanted to manufacture it on a larger scale. But the Director General of the Indian Medical Service said, "No. You cannot do it. It is not your business to do. It is only a research institute. You cannot take to selling the medicine." Yet, strange to say, vaccines are being sold by the Institute, and it is not a wrong thing to do. When people are wanting medicines, that Government or persons connected with Government should put spokes in the wheel to stop the manufacture of those medicines is disgraceful for them. If there are any such rules, they should be wiped out and a stimulus given for the manufacture of Atebrin which would be a substitute for quinine and conduce to the welfare of the country. There is another drug of which I must speak, and that is sulphathiazoll.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): On a point of order, Sir. I am afraid I must ask that the Honourable Member should not refer to the case of sulphathiazoll, which has been referred by the Government to the Calcutta High Court. I think that the issues which my Honourable friend is bound to raise here are exactly the issues which are under discussion in the Calcutta High Court. The matter is *sub judice* in the High Court and I submit you ought not to allow it to be discussed.

Mr. Chairman (Syed Ghulam Bhik Nairang): There can be no objection to a matter *sub judice* being referred to in the course of a speech. All that the

rules require is that there should be no resolution or adjournment motion about a *sub judice* matter. It can be referred to in the course of a speech. We are not bound to give any finding of decision over that *sub judice* matter.

Mr. J. D. Tyson: I bow to your ruling. I have no objection if the Chair thinks that the House will not be exceeding its bounds.

Mr. Chairman (Syed Ghulam Bhik Nairang): No.

Mr. Govind V. Deshmukh: As you will observe, I was not going to refer to the proceedings in the High Court. I submit that the Government of India should move in the matter and give motion to the wheels which are obstructed to secure the manufacture of this drug. In England sulphathiazoll is used for a particular purpose. In the United States researches were made and it was found to be useful for gonorrhoea and other illnesses, and in India when researches were made it was found that it was good against plague, another epidemic which carries thousands and lakhs of people of this country whenever it breaks out. Why should the manufacture of this drug not be allowed here in India? The interests of thousands of persons are concerned in its manufacture and it is scandalous that persons are trying to make profit out of it. Sir, this drug also can be manufactured in India. It has been found that it can be manufactured here. We require some raw material for it which can be imported. It won't take more than half a wagon load. Why that facility is not being given by this Government? Therefore, I submit that in the interests of the population of this country, particularly the middle classes—the rich and the wealthy are in a princely position and they can afford to buy any drugs and medicines—it is very essential that things should be made easy for the manufacture of these drugs.

Having finished with the drugs—I wanted to touch only on the essential drugs—I wish to say a few words about some other foodstuff and not only the foodgrains which we seem to emphasise very much. Is there no other aspect of the food materials? I submit there is, for instance, fish and vegetables. Let me say something about the fish. During the time of the Congress Government, I think it was in Bombay that they were trying to increase the supply of fish as food.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): It was long before the Congress Government.

Mr. Govind V. Deshmukh: It may have been long before the Congress Government; it does not matter which Government it was. What I submit is this. Experts, marine biologists and others, were sent for from England and they did come. The Bombay Government spent money on it and a report was made. No further steps were taken and the whole scheme was dropped by the Government. In these days when people are crying for food, I do not see any reason why Government is not doing anything in this direction. People seem to think as if we are all vegetarians, as if there is nothing else to eat except foodgrains. I submit this is one thing which the Governments of Bombay, Madras and Bengal ought to inquire into and do all that is possible.

Then, there is another thing which I wish to refer to. I have learnt that there is a great demand from foreign countries, from South Africa and the Middle East, for certain vegetables which are used by the American or European armies and not only potatoes and onions which are used by the Indian armies. It is very essential that these foreign armies should have those vegetables which are grown in their countries. No efforts are being made in India to grow those vegetables and no subsidies are given to those persons who wish to grow those vegetables. Australia now grows all sorts of vegetables which it was not doing before this war just as it is now manufacturing all sorts of ammunitions and airships after the outbreak of the war. It has become a self-contained country in every way. It is the misfortune of this country that we have not got a Government which can take initiative and which can move with the times just as other independent countries can do. We have always been hanging on to the

[Mr. Govind V. Deshmukh.]

apron of the superior Government which sits so many thousands of miles away from us. It is really painful to see that every time we want to do something, it comes in our way. I only wish that our Government should rise to the occasion and when such questions of life and death are involved they should do everything possible.

I have not seen it being mentioned by the Honourable Member who moved this motion that any subsidies are being given as one of the means to encourage people to grow more food. If you merely give them one rupee per acre, if land under short staple cotton is brought under food crop, it does not really help the farmer to grow food. Why does not the Government subsidise Associations? Why does it not make efforts to bring the Associations of cultivators into existence which will grow more food? In England and in America and in every other country they are subsidising the farmers to grow more food. They do not say merely "Grow more food" or they will give them something if they bring more land under cultivation of food crops. As a matter of fact, this advice by itself counts for nothing. Please do not imagine that you are going to get more food because the acreage under food crops has really extended. I can tell you as an agriculturist and from my own experience that though the land under food crops has increased in acreage, the Jowar crop in my province has been ruined absolutely. We did not get the rains when they were required and we got them when they were not needed. As a matter of fact, if you make inquiries from the Central Provinces and Berar you will find that the Jowar crop is absolutely gone. The only fortunate part of it is that we have got a very good rice crop, but if that is going to be exported, then nothing will be left for us. I submit that subsidies on a very generous scale should be given to the cultivators in order that they may have a temptation to grow more food. Then, they should be given a guarantee. If the agriculturists give up the sowing of monetary crops and reserve their land for sowing foodgrains, then there should be a guarantee that after the war the prices shall be maintained and that there shall be no slump in the market. Whenever slump prices came in England or in America, the prices were guaranteed. Inquiries were made into the cost of production and what was the reasonable profit that a cultivator should have. In those countries there are Associations of farmers which are fighting the Government to maintain the level of economic prices. It is unfortunate that in this country we have not got the co-operative societies amongst the farmers. I hope that this question of guaranteeing prices will be seriously taken up and the cultivators not exposed to slump conditions after war. I thank you, Sir, for giving me time and allowing me to have my say.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadian): Sir, the Honourable Mr. Sarker has practically appealed to the House not to enter into what has been done in the past. This is practically admitting in a sense that what ought to have been done has not been done. But if our discussions are really to serve any useful purpose, it is no good crying over spilt milk. Then, he made a reference to the rural and urban population and I am afraid the distinction that he made was rather dangerous. His impression is that the rural population, that is, the cultivators themselves, will somehow muddle through this scarcity of food as he is the producer of food stuffs. The real difficulty, according to him, is in urban areas.

Almost all his life he has been living in palaces in the cities. But I am a real villager, a peasant and a cultivator myself. I have no house in any city or town, nor do I like to have one. I know, as a matter of fact, that in cities in these war times money, whatever its character, whether it is paper or whether it is metal, is being poured out.

If the poor people in the cities do not get enough to eat, they can be made to get more money, if not by Government, by people like my friend, Mr. Mehta. The difficulty is probably of transport. If you have supply of sugar in Bihar, it cannot go to Calcutta and Lahore. I

am not quite certain whether my Honourable friend, Sir Edward Benthall, is in charge of the entire transport. The other day I read in a paper that he is the Member for war transport. I do not know if he is in charge of civil transport as well.

Mr. Jamnadas M. Méhta (Bombay Central Division: Non-Muhammadian Rural): As Railway member he is in charge of transport.

Pandit Nilakantha Das: Then the question of scarcity of food in cities can well be solved, because there the people can pay for food as well as for the wages. They have got money to do all that. In rural areas conditions are just the opposite. Now, what is happening in my own parts. This is the harvest time. What is happening to the poor peasant. He must purchase every thing by selling his rice. He has not got enough rice. I do not know how these statistics are collected or averages are taken and how it is ascertained that there is so much excess. I do not know the process, nor do I propose to criticise them. My other friends, who know the subject well, probably may criticize. But I know that this is the time for the peasant to sell paddy for every thing, even for the marriage of his daughter. Perhaps he will starve after four months. That is his ordinary lot, and today it is not otherwise. It is rather more acute. He has to purchase kerosene and things other than food stuff. He does not want sugar so much, but he has to purchase *gur*. He has to purchase fish which in our part is now dear, and for that he will sell paddy. Paddy will bring him money that he wants now. There is no question of hoarding. Villagers, peasants and cultivators really take pride in the land, but they seldom get two square meals daily throughout the year. It is a fact which is admitted by all. Who hoards? Now, I find in this season in spite of all attempts from the side of Government to go into conferences and to do this and do that, what is happening there in the villages? All the paddy is being drawn out of villages by the middlemen and mill-owners. Of course the peasant gets unexpectedly more than he would ordinarily have got. That price will not come to him. The rice is being hoarded in mills. There are rice mills in Orissa. Suppose Government have prohibited the export of rice even to other Provinces. What is happening to that rice. The rice is being milled by millowners. From Kharagpur to Waltair there are so many rice mills. Suppose these mill-owners have got thousand maunds of rice. Milled rice is never eaten by villagers, but it will go to cities. These mill-owners know some time or other they will have to send it out and will make fabulous profits. This profit does not go to the poor man. It will go to these Millowners and partly to some middle man. In hard times the poor peasant has to starve. It is the mill-owner who hoards in spite of your inter-provincial or central, whatever you may call it, control arrangement. Whosoever hoards stocks, you say you will punish him. Do you really punish him? You allow hoarding, you know that he hoards. This should be stopped.

If this rice is to be purchased it should be purchased by Government for export mainly inter-provincial or by any agency of the Government. It should be purchased directly from the man who produces it. In that case the peasant will get something more.

Cities can be managed by transport, and it is only the village where you must have to provide the villager with food in bad times and you will please see to it, that he gets his money, the entire money of selling his paddy and not the middle-man. Of course the middle-man may be given a part of the profits for his labour.

Then again in this control system, I wish to tell my Honourable friend the Government Member in charge of the subject, there is another difficulty. I shall at once tell him, to please see to it that neither the Central nor the Provincial Government should allow their civilian administrators or other

[Pandit Nilakantha Das.]

officers to collect any war fund or any other fund. There is a grave danger in that. You cannot control prices, nor can you punish hoarders, for your officers will come to these very people for subscriptions and these are the persons who actually hoard. I know many instances, but I do not like to mention them, for it is no good mentioning such things. All the same I tell the Honourable Member in all sincerity not to allow officers in any way connected with the administration to realize any fund for war purposes. I know of cases where people gave five hundred to five thousand rupees to war funds to be allowed to do even black market profiteering. They will give more subscriptions to the war fund and to the Red Cross Fund and other funds to which they have been asked to subscribe. Things are managed and manipulated in this way. We the public are unable to counteract and control these things. The Government are in a position to manage things in a proper manner. We are coming to the House for discussion and are going into conferences in the Chamber and in other places, whereas these very things eat into the vitals of the entire system. So I am not going to say many things. These are the two things which I should like to impress upon the Honourable Member in charge of the motion. I repeat them categorically. One thing is: In the city it may be managed by transport and the villagers, whatever the nature and conditions of their stock, should be made to get the full profit of their produce. Then, again, secondly, no officers connected with the administration of the country in any way should be allowed to handle war subscription or raising any other subscription.

An Honourable Member: Why?

Pandit Nilakantha Das: The reason is obvious. They allow the black-market profiteer to go scot free for the reason of the subscription they have got or they may get from him. Again if a man is hoarding and sells the stuff in the black market, if he is detected and prosecuted under the Defence of India Act, then if he offers a substantial sum as war fund subscription, then he is let off. That is why I insist that nobody who is connected with the administration should collect war fund subscriptions. This is what is happening every day in the country. With these two suggestions, I resume my seat.

Sir Cowasjee Jehangir: Mr. Chairman, suffered as we have from lack of food in the City and in the Province of Bombay, I cannot but sympathise with the remarks of the Leader of the European Party. But as my Honourable friend who has just now sat down said, it is no use crying over spilt milk. Let us look to the future. I must readily acknowledge the services that the Honourable the Commerce Member and the Government of India have rendered to the Province of Bombay, though after the mischief was done. I must also acknowledge with thanks that their efforts have relieved the situation to a certain extent. But even today I believe we have not yet got wheat and I am told that it is on the way. I trust that we shall be successful in receiving some.

Now, Sir, I am led to the conclusion that the Government of India were in the preliminary stages misled by the statistical position of food in India. These statistics, as the Honourable the Commerce Member told us, show that there is sufficient food in the whole of India. The Honourable the Transport Member told us on more than one occasion that food is now receiving a high priority and that he is ready to transport it if there is food to transport. These are conflicting facts. Statistics show that there is food in India, the Transport Member is ready to transport it. But I believe he said on one occasion that trains were ready to take the food but there was no food. How are you going to solve this problem? You must come to the conclusion that it must be hoarding. I believe that this hoarding has been going on and the Honourable the Commerce Member has given some reasons for it—apprehensions of scarcity in the future

fear of invasion of India by Japan. Even in the beginning of the war, I know, as a matter of fact that several of my friends recommended me to store for my domestic servants a year's supply, which I regret to say I did not do. But some of them did it. Therefore there was apprehension of scarcity of food from the very beginning and as speculators came on the field, they took full advantage of this apprehension and bought up whatever they could to sell in the future at exorbitant rates. In Bombay, I am glad to say that Government are now taking drastic steps with regard to hoarding; prosecutions are taking place every day. But I should like the Honourable the Commerce Member to tell us what steps the Government of India are taking in surplus Provinces with regard to hoarding. If there is hoarding in surplus Provinces, the Government of India will themselves not be able to buy and distribute to Provinces like Bombay where there is scarcity. Therefore it is no use prosecuting men for hoarding in Provinces where there is scarcity. It is more necessary to see that hoarders in Provinces where there is surplus do not hoard. If the Honourable the Commerce Member can give this House some assurance that he will insist on hoarders being prosecuted in Provinces where there is a surplus, a quantity of grain may come to the surface for him to buy. This may perhaps to some extent solve the problem.

Then, we have heard a great deal about Provinces which have a surplus, the Governments of which have not helped to allow it to leave those Provinces. May I suggest to the Honourable the Commerce Member that he has a weapon in his hand against such Provinces. He will have a large quantity of standard cloth. Well, to those Provinces that will refuse to part with their surplus food, he should not give standard cloth. If Provinces are independent of the Centre to the extent that they will not take the advice of the Centre, then measures must be formulated to show the Provinces that there are commodities, necessities of life which they will not get. It is all a question of give and take and I firmly believe that if Provinces, whether they be under a Governor or under a Ministry, will see reason and will be prepared to help those in much worse position than themselves. The very fact that the Government of India were to some extent able to come to the relief of a Province like Bombay shows that they have the power to do so. My Honourable friend the Leader of the European Party has urged on the Honourable the Commerce Member to take the bull by the horns even now, and make this Department of Food, an active, energetic and live Department, and when the position is a bit relieved to see that they do not go to sleep again. It is for the head of the Department to see that the Department works throughout the year and not only during times of

I should like to say just a word with regard to atabrin, a drug that was mentioned by my Honourable friend, Mr. Deshmukh. The facts so far as he gave them were perfectly correct. I brought this question of atabrin to the attention of the Department a year ago but the Government of India did not allow the Province of Bombay to make this drug when they were in a position to do so. It is no use now repeating the arguments that were put up on that occasion. They struck me to be rather tame. I would even now urge that the Government of India should allow atabrin to be made in India and to set aside all these questions of patents and rights of other manufacturers in times of war. This question of shipping, the question of bringing raw materials to India appear to me to be a lame excuse. If atabrin can be made in India at a cost at which the poor people can afford to buy, then nothing should stand in the way of the Government of India allowing it to be made in India. This question which has been discussed for the past one year should now be brought to a conclusion.

With regard to fish, my Honourable friend Mr. Deshmukh raised the question of the Government of Bombay's experiment with fish. Those experiments were made some 15 years ago and cost the Bombay Government something like

[Sir Cowasjee Jahangir.]

15 to 20 lakhs. They failed because the fish that was got in very large quantities from the deep sea had no market. The people insisted upon having well-known fish, and refused to eat the fish which I am told was perfectly good but unknown, and the experiment failed. But so far as Bombay is concerned, I am glad to say even in these days of scarcity we have not yet heard that there is a scarcity of fish and those who can eat fish are very lucky indeed in the city of Bombay for they may not get bread, but they have been able to get fish.

Pandit Nilkantha Das: Not very dear, I suppose?

Sir Cowasjee Jahangir: It is quite dear enough for the poor people, and in order to make it cheap this experiment was carried out, but unfortunately it failed.

All I can say in conclusion is, Mr. Chairman, that while having thanked the Honourable the Commerce Member on what he did for the province of Bombay, I trust that he will not come to the conclusion that we are at the end of our troubles—we are not—and that he will see to it, as he has done within the last month or two, that we at least get sufficient to keep body and soul together. He has seen with his own eyes the troubles we have been through. He has had the experience of grain shops—he has been to them personally—and I trust he has learnt from his own inspection that we were in real trouble and that it was not for merely complaining that His Excellency the Governor had to come all the way to Delhi, but he came because he found his Province in a really bad way. We were hit in two directions: We were hit by nature—we had a famine in certain parts because the crop failed—and naturally we had to send a large amount of grain to these two parts of our province where famine conditions prevailed, thus depriving others who might have been able to get through these bad times had it not been for famine conditions in the two parts I have mentioned. And, therefore, having been hit in two directions, we deserve the sympathy and assistance not only of the Government of India, but of other provinces who have a surplus to spare.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, the most serious situation has arisen in the country as a result of the shortage of food grains, cloth and fuel. Government do not realise the seriousness of the situation. Any day the volcano may burst in full fury. They are standing on the edge of a precipice and that precipice may fall down any day. Hunger knows no laws. Revolutions are the creation of hunger and with the millions of hungry mouths in this country at the present moment I am surprised why there is no revolution already.

The Commerce Member during the course of his speech pointed out that the Government admitted their faults in the past, but they should be ignored, and he expected the House to co-operate with it in any measure that may be taken to relieve the most dangerous situation with which we are confronted. I quite agree with him, and I am not going to take the Government to task for all its past sins of commission and omission although they are numerous. The Government in this country is always in the habit of looking upon India as an agricultural land destined by the fates to produce raw materials for England and her imperialistic Allies. For that very reason they have never industrialized it. Had India been industrialized, had she her own industries, she would not have been in the sorry plight in which she finds herself at the present moment. Other countries have solved their problems. Russia, for instance, has done so. Russia is also a very great country, larger than India in some respects geographically but she has solved her economic problems, and India, if she wants salvation, will have to follow in the footsteps of Russia in a modified form. You know, Sir this is a machine age. One machine does the work of ten thousand men and the need of the present age is to turn out supplies in excess of demand. They are doing it in Europe. India can do it if only she had a Government of her own, but, unfortunately, she has not. They may say the

Viceroy's Executive Council consists of twelve Honourable Indian Members, but they are what they are, and we know them for what they are worth situated as they are. If only we had our own Government in full sympathy with the aspirations and sentiments of the people we would have very easily found a way out of our difficulties. In Russia they have turned the country into a highly mechanised agricultural realm and agriculture is developed there in a scientific form. Thousands and thousands of miles are sown in a scientific manner till the supply is coming near the demand. We can do it also in India, but, unfortunately, we have not got the necessary paraphernalia to do it.

At the present moment, as I have pointed out, the two main staple grains are rice and wheat. Rice is not to be had for love or money, because our Government happen to be very generous. The children of the soil are starving and they are exporting thousands and thousands of maunds of rice to Ceylon. Then, they are sending it to Arabia. The Commerce Member has not mentioned other countries but I am sure there are other countries also which are being supplied with rice and wheat. India, the land of plenty flowing with milk and honey, has been reduced to the condition when wheat has gone down to two and a half seers to a rupee, coal four annas a seer, cloth is not to be had at all. Gandhiji was reduced to the necessity of wearing a *langoti*. The Mussalman could not go so far. He had to wear a *tehmat* but he has not got standard cloth to meet his requirements. So wheat is not to be found. Rice is not to be found. They are sent out of the country. The Commerce Member assures us that the quantity exported is a very small one. But why should even a small quantity of wheat or rice be exported to other countries when the children of the soil are starving? Will England do it? England has got her hoards of food. Will she export her foodstuffs to her friends? She will not. Why should India do so? We may be very charitably disposed, but when we are faced with a life and death struggle, why should we be so generous as to export our foodstuffs to other countries? There are other Dominions also. There is Canada, there is South Africa, New Zealand and others, having all the rights and prerogatives of self-government. Why are not their Governments called upon to send their foodstuffs to the starving countries? If the Middle East is starving, or Egypt, or Arabia, let Canada give her share. Let the help be sent from South Africa. But they will not do it. We have to bear all the burden. Then they say that self-government in India is in the making, and you have your own Ministers who take very good care that all your requirements are met. The assurance is of no value and does not satisfy us.

Centralise the Government for food control, in consultation with the Provincial Governments. But for the love of mike, please bring in the Defence of India Act, as you have done in political cases, in the case of those who hoard foodstuffs and do not bring them out. You have been very lazy. You have not done anything to thwart their criminal activities. So buy up all the foodstuffs: buy up all the grain: ban all exports. Not a single grain of rice, not a single grain of wheat should go out of the country as long as the starving conditions are prevailing in India. Similarly, I should like the Government to put a ban on the export of standard cloth. Even before the war India used to produce cloth in very large quantities, but still she had to import from other countries: what to talk of the present times when prices have shot up like a rocket! To sum up foodgrains should not be exported: cloth should not be exported till conditions are better. If this is not done, and if active steps are not taken to meet the needs of the country, I am afraid, there will be a terrible revolution and the Government will one day wake up to find everything oozing out of its imperialistic hands.

Babu Baljnath Bajoria (Marwari Association: Indian Commerce): Sir, I have listened with great attention to the speech of the Honourable the Food Member. I know that his intentions are quite good. There is no difference in the intentions of the Commerce Member and of the Members on this side of

[**Babu Baijnath Bajoria.**]

the House. But here we are not concerned with intentions but with actions by the Central and Provincial Governments, actions which will give us food and food to the required areas where it is very scarce. Sir, he has only dealt with two things—wheat and rice—but has not touched at all on sugar and other necessities. I should like to say a few words on the important necessities of life.

As regards wheat, coming as I do from Calcutta, I know what a scarcity of wheat we are feeling there. You may be interested to learn the wheat flour (*atta*) is being sold in Calcutta at 9-14-0 a seer. Flour is being sold at over Re. 1 per seer. Whether this *atta* or *maida* is purely made of wheat is very questionable. Invariably it is adulterated stuff. Sir, what has made the position so acute and these necessities so scarce in Calcutta? Well, there are several reasons for it. Firstly, the Punjab Government, which are in a favourable position, are fortunately placed to have a surplus of wheat. They are very jealous and wish to conserve as much wheat in their own province as they can possibly do. Sir, here we are getting the fruits of provincial autonomy. The Central Government finds itself helpless to induce the Punjab Government adequately and equitably to distribute the wheat in all the provinces of India. There is no co-ordinated action between the Central Government and the Provincial Governments. The Central Government may have a head, but it has got no legs or hands. It cannot do anything directly. It has to approach, request and beg a Provincial Government to give it wheat or other necessities which may be surplus in that particular province. Sir, this is a very queer state of affairs and ought to be remedied as soon as possible. The Central Government must have the power to allocate and distribute all the foodstuffs, which are in this country, equitably in all the provinces to the best advantage of the people of the whole country. Sir, Government has imported recently considerable quantities of wheat from Australia. I understand that several thousands of tons have been imported, but that they all been taken away for military requirements. None has been given for civilian consumption. Though wheat has been imported in Calcutta, still the people of Calcutta have not got one grain of this imported wheat. If I am wrong I shall be glad to stand corrected. Sir, you will realise that this is a state of affairs which cannot be tolerated. Again, Sir, as regards hoarding of wheat, I will say without fear of any contradiction that Government is the worst culprit in this respect of hoarding. As regards the Military Department, that Department is hoarding wheat in very large quantities at several places, and it has hoarded so much that the wheat has become spoilt and it is being thrown away.

The Honourable Mr. N. R. Sarker: This is not true.

Babu Baijnath Bajoria: Yes, in places this has been done. Military wheat has been thrown away because insects have got into it.

Matlana Zafar Ali Khan: Not thrown away, but sold at a lesser price because it was unfit for human consumption.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): How much?

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): 15,000 bags in Bombay.

Babu Baijnath Bajoria: This is the state of affairs as regards wheat. As regards rice, price control has been the main factor which has resulted in this acute shortage. It is a queer state of things that when price control is put on a commodity, the first result is that the price goes up to the heavens and the goods go down to the abyss—the goods cannot be found at all. What happens? It is only the Government who know about this. There is a sinister circle working about. I am not in the habit of accusing officers; but in this case I cannot refrain from doing so. This price control business, either at the centre or in the provinces, is a regular scandal. The permit system has gone now, but

it is an open secret that permits were being sold regularly and those who paid the highest prices for the permits got them.

About rice, the Bengal Government have appointed agents for purchasing rice for them. The Honourable the Food Member has said that they do not want to oust the people in the trade from the trade; but what have the Government of Bengal done? They have appointed three agents for purchasing rice for them and none of them was in the rice trade at all. It was on political consideration pure and simple that they gave those contracts to those firms

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): The Honourable Member is entirely wrong.

Babu Baijnath Bajoria: I am not wrong. I do not want to mention names; but the biggest agent was a very prominent member of the Muslim League Party. I am not blaming the Party and I am not dragging in the Central Muslim Party. This state of affairs has to be remedied. There is something very rotten in the state of Denmark. The Honourable the Commerce Member said in one of his bulletins sometime ago that Bengal is now a surplus province as regards rice

The Honourable Mr. N. R. Sarker: I have not said it is a surplus province; it is a deficit province.

Babu Baijnath Bajoria: I stand corrected. Then, what is the position about sugar? For several months in Calcutta we did not get any sugar at all, and it was being sold at about 12 annas a seer or thirty rupees a maund. Government had some control shops where they were selling half a seer of sugar at six annas a seer and it was very difficult to get any sugar from these control shops without waiting for a several hours together. The position as regards sugar has now, I must admit, improved considerably and it is now available, though with some difficulty, and the prices also have gone down from 12 annas to 8 annas in Calcutta.

As regards standard cloth, it reminds me of the remark which was made about Addison—it could be very well applied to the Honourable the Commerce Member—that he conceived thrice but produced nothing. We were promised that the standard cloth was coming in April last, then in September, then in December and then in February and now we are being told that the delivery will be in April. But what prevents delivery? I think he should consult a doctor!

The situation as regards cloth is absolutely pitiable not only as regards the poorer section of the people but as regards the middle class people also. A pair of *dhotis* cannot be got under 6 or 7 rupees. I think this *National War Front* is being published under Government patronage by my Honourable friend, Mr. Griffiths. I will read a few lines to show what they regard about clothes for the people of this country. It begins:

"One of our American guests asked me recently the reason for the number of small children who run about the streets of our towns and villages almost quite naked. He has taken it as a sign of poverty but it is perhaps more properly to be attributed to the warmth within India's climate the people enjoy from the sun. During most of the year in India the sun's heat is so great that fires are unnecessary except for cooking, and clothes are more to be desired (*this is very important*) as an ornament to the body than as a protection from cold."

I do not know whether the Honourable the Commerce Member also shares this view. It shows what scant respect they have got for the needs of the poor as far as clothes are concerned. They think it is unnecessary—that it is only an ornament to be worn at convenience. I do not share this view at all. Clothing is as much a necessity as food and every one wants clothing to a certain extent; and it is the duty of the Government to provide clothing at reasonable prices.

Now I must come to King Coal. Here the Commerce Member was very discreetly silent. Probably the Railway Member will say something about it. As regards coal, there is plenty and it cannot be said that there is a shortage

[Babu Baijnath Bajoria.]

of coal as in the case of wheat or rice. There is plenty of coal and it is very near to Calcutta—only about 100 or 150 miles away, and the only question is about transport; still coal cannot be obtained and is obtainable only at very high prices. I will read a few lines from the *Amrit Bazar Patrika*, when the price of domestic fuel went up to 7 or 8 rupees a maund:

“In Ward IV of the city of Calcutta, said Councillor Sushil Chandra Sen at Wednesday's Corporation meeting, ‘in course of the past two days certain families had to go without food for want of fuel to cook it’. If all other Councilors had taken equal pains to enquire into the difficulties of their respective folds, they would certainly have been able to give testimony to a similar misery all over Calcutta.”

The paper then goes on to say—I do not want to take up much time of the House, I will only read the most important passages:

“The Corporation had given an order for 30 wagons of coke to be brought into the city immediately. That quantity itself was hopelessly inadequate for the minimum requirements of the citizens. Even out of that quantity only 5 wagons had reached Calcutta up to the 27th January. Five wagons for nearly 20 lakhs of people! Somebody somewhere in the well-fenced confines of Imperial Delhi has been playing with India's railway transport in criminal self-complacency.”

These are the Editors words:

[At this stage Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Again,

“A special allotment of 200 wagons has been obtained from the Controller of Coal Distribution. This, they went on to say, was outside the coal distribution scheme so that wagons may be loaded at any colliery irrespective of its quota and is a purely emergency measure to counteract the effect of delays in implementing the scheme. These wagons, they proclaimed, are now being loaded and are expected to arrive here within the next three or four days. What happened to these 200 wagons? Is it to be presumed that after they had been loaded and sent haste-post-haste towards Calcutta; the wagons suddenly developed a truant mentality and never reached Calcutta?”

I think they were never loaded at all. The Honourable the Railway Member has got a direct responsibility on this question. Coal, though it is not a food grain, is the father of cooked food. It is very essential to have coal at reasonable prices everywhere. In Delhi what is our experience? I think Honourable Members will bear me out when I say that coal is not obtainable. What coal we are getting is all wet, soaked with water. This is the position of coal of which this country has got plenty. In this case the Honourable the Railway Member must give a high priority for domestic coal. This is not the time to speak of coal for industrial purposes, about which I shall take another opportunity.

As regards foodgrains I understand that one Mr. Butler has been appointed as—I do not know his exact designation—as the Controller of Food Grains. He has been appointed to look after the distribution of food grains in the provinces. It is very curious we should have experts from foreign countries, even for the supply of food grains in this country. Does he know more about food, what kinds of food are required in the different provinces, what kinds of food grains are being produced in this country? This seems to me to be merely a case of favouritism in favour of a particular person, however, high he may be.

To summarise, there should be a central organisation in Delhi composed of representatives of the provinces and of the Central Government and the representatives of the people, that is, Members of this House which will see that a fair and proper distribution is made. There must be a co-ordinating link between the Central organisation and the provincial organisations. I had tabled a Resolution to this effect during the last Session of this House but unfortunately that could not be discussed. I think that that Resolution should commend itself to the Honourable the Commerce Member. The question of food is the subject of all subjects, and on the solution of this depends the contentment of the people of this country. On the solution of this problem depends the war effort, because

unless and until the people are satisfied and people have no hungry stomachs, they cannot be expected to do their best for war effort, nor can they sit idle. They will always create mischief. There is a proverb in Sanskrit:

"Bubhukshitah kim na karoti papam."

A hungry soul, what sins can it not do?

As has been said by Maulana Zafar Ali Khan, hungry souls know no law, and the best way to bring contentment to the people is to provide the means so that the public and every one of us can get enough to eat. There should also be a campaign about no wastage of food. I would like to tell the House that if everybody takes a vow like myself, which I have taken for several years, not to throw away any food, I think a lot of food will be saved.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Babu Baijnath Bajoria. I hope that the points to which I have drawn attention will receive due consideration of the Honourable the Commerce Member.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural). I know that it is only for five minutes that I can speak on the floor of the House today.

An Honourable Member: You can continue day after to-morrow.

Mr. Muhammad Azhar Ali: That I know. I said to-day. The Honourable the Commerce Member has admitted on the floor of the House to-day that he and his Government have been wrong, that he wants himself to be excused and the Government also to be excused for the sins of omission and commission as regards this problem. We have no objection. He also wants that suggestions should come from this side of the House, that full schemes about food, schemes about other necessities of life should be clearly stated before the House in order that the Honourable Member may be in a position to adumbrate some final scheme. We have no objection to that as well. But, Sir, how can we refrain from saying that all this position that has been created in the country to-day is due simply to the carelessness and callousness of the present Government? I would not say that it is only the Honourable the Commerce Member who is to blame or who is responsible for the present condition. I would submit that the whole Cabinet of His Excellency the Viceroy have got a joint responsibility. It is not a single responsibility of a single Member alone, it is the responsibility of the whole Cabinet. Sometimes it is said that transport is not to be found; sometimes it is said that peasants are hoarding; sometimes it is said that traders are hoarding. But it is never admitted that the scheme was not put before the country and specially the commercial concerns of India who are very widely affected, their opinion was not taken. I am pained to learn that the present condition is such as has been described by Maulana Zafar Ali and others,—that we are sitting on a volcano. It is a fact that we are sitting on a volcano. Discontented peasantry, discontented consumer, discontented middle class, and what more do you want? If it is a fact that the whole country is discontented, then I would say to Honourable Members of His Excellency the Viceroy's Executive Council that they are also not free from any responsibility to the people of India.

Mr. President (The Honourable Sir Abdur Rahim): It is now four O'clock. The Honourable Member can continue his speech next day. Pandit Lakshmi Kanta Maitra

MOTION FOR ADJOURNMENT.

FAST BY MAHATMA GANDHI IN JAIL.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Mr. President, Sir, I beg to move:

"That the Assembly do now adjourn."

[Pandit Lakshmi Kanta Maitra.]

This adjournment motion arises out of the fast undertaken by Mahatma Gandhi in jail since the 10th February last. My main object in moving this motion for adjournment is to draw the pointed attention of the Government to the situation that is developing from day to day as a result of the step taken by Mahatma Gandhi. Sir, from the correspondence that passed between Mahatma Gandhi on the one hand and His Excellency the Viceroy on the other, it appears that Mahatma Gandhi wanted some redress in respect of certain grievances at the hands of the administrative head of the country, but, failing that, he took to what he himself characterises as an ordeal, a limited fast for a period of 21 days.

Sir, I am not here to enter into the politics of the Mahatma. This is at least not the time to do that. I am not also concerned to enter upon a vindication of the policy of the Mahatma, but I do assert that on an impartial perusal of the correspondence that has been released it will appear that Mahatma Gandhi at least cannot by any honest man be accused of personal complicity in the orgies of violence that swept over the country after August 9th. Mahatma Gandhi made it a grievance that the whole situation would perhaps have been avoided if prior to his arrest he had been granted an interview by His Excellency the Viceroy to talk over matters. Sir, I will quote one or two sentences in this connection from the correspondence released. Mahatma said:

"I am certain that nothing but good would have resulted if you had stayed your hand and granted me the interview, which I had announced, on the night of August, 8, I was to seek. But that was not to be."

After that Mahatma Gandhi made it clear in his letter that he himself never stood for violence of any kind. He said:

"Of course I deplore the happenings which have taken place since 9th August last. I can say from the house-top that I am as confirmed a believer in non-violence as I have ever been. You may not know that any violence on the part Congress workers, I have condemned openly and unequivocally. I have even done public penance more than once."

The country knows very well that on several occasions in the past Mahatma Gandhi undertook to face ordeals of this nature for self-purification, also as measures of vicarious atonement for the faults of omission and commission of those who accept his lead. But, as I said earlier, I am not here to discuss his politics. It is well known and it does not require any statement from me here today on the floor of this House that with all his faults and failings, Mahatma Gandhi is the one man in India today who is respected and admired all the world over. His name and fame are not confined to the geographical boundaries of this country; they have travelled far and wide. He has dedicated his whole life to the service of suffering humanity through penance and sacrifice.

This fast has been characterised as a form of political blackmail; it has been denounced as a spiritual subterfuge; it has been described as a manœuvring for position; it has been criticised as the last desperate gamble to regain lost power. Nobody can stop people or interested parties from criticising it in that way, but after all is said and done you have to realise that Mahatma is a type by himself. He has set for himself a code of conduct, a standard of life, which is something very different from that which is pursued by us. You may mock and jeer at it; you may taunt and twit, but Mahatma has lived down all such mocks and jeers, all such taunts and twits, and he will continue to remain the Mahatma all the same. Today I myself can appreciate the agonies, the torments of such a soul when it finds from behind the prison bars, millions of his own people suffering from untold privations all over this country. The food scarcity, the famine conditions prevailing from one end of the country to the other are too much for that soft and luminous soul to bear. If he could have had an interview with the Viceroy he would have disburdened himself of what had been rankling in his breast, explained his position and, if necessary, would have reviewed the situation *de novo*. If there had been any errors in his

methods, if he had been held in any way responsible for the misdeeds committed in recent months it could have been brought home to him in the interview and he would have made adequate and honourable amends. But such an opportunity was denied him. Therefore, he had to take recourse to this fast. I want every Indian Member in this House to realise this position. I am making to them an appeal. Let them not be carried away by the politics of Mahatma Gandhi. They may have their differences, but I do ask every Honourable Indian Member in this House, whether elected or otherwise this simple question! Does he want to see this Mahatma, the greatest man amongst us, one of the leading figures of the world today, die by inches behind the prison bars?

An Honourable Member: Why not Europeans?

Pandit Lakshmi Kanta Maitra: My friend asks "Why not Europeans?" Yes, I do appeal to the Europeans as well to consider the situation. I do appeal to the followers of Jesus Christ to bear in mind that today it has begun with the crucifixion of the flesh behind the prison walls. Who can say that it will not end in the crucifixion of the spirit? In that case do you realise the consequences? The whole Christian community in this country will stand self-condemned. Mahatma's fast is an outcome of the gospel of despair. I take it as a vivid testimony of the sense of sheer frustration. It is born of a sense of utter helplessness. I cannot but take it in that light. To the Government I shall make an appeal. Sir, it has fallen to my lot today to plead before them for the release of Mahatma Gandhi. They should feel ashamed that Mahatma Gandhi—the greatest man in the world—should be condemned by them to the humiliation of prison life in his own country. I do not think there can be worse condemnation of the British than that a man like Mahatma Gandhi cannot have any place except in the British prison. To day we find civilization crashing around us and the noblest institutions of mankind going to shambles. Truth, Love and Charity which mankind had so dearly cherished seem now to depart this world. Mahatma Gandhi, in the midst of this carnage and destruction has been preaching and practising them throughout his life. Mahatma Gandhi with his lofty ideal of Truth and Love stands out as a beacon light in this tempest-tossed world. Will it be creditable for this Government to compel this noble Soul to perish in prison? Will they not try to win the good will of all by releasing him? Do they realize that if Mahatma Gandhi is forced to die in their jail, India will never forget the Britisher for this misdeed? No, India will never forgive the Britisher for this act of callous murder of her greatest son. Do they not realize that some day after this war despite all our differences now, we may have to sit together and settle up our accounts peacefully and amicably? Sir, I cannot but warn the Government that if Mahatma Gandhi is made to languish in jail, a situation will be created in India which will be absolutely beyond control of the most powerful Government. I cannot visualise the things of the future. I am deeply apprehensive that Mahatma may not survive. For in his last letter Mahatma Gandhi says, "if I cannot survive the ordeal I shall go to the Judgment Seat with the fullest faith in my innocence". I ask my friends to ponder over this ominous sentence. Now, the Indian Members of the Viceroy's Executive Council who have been giving advice to the Viceroy, have a very grave and special responsibility. The world is told in season and out of season that we have got an overwhelming majority of Indian Members on the Viceroy's Executive Council—today they have been put on their trial. The eyes of India are set on them. If they cannot assert themselves on this critical occasion and tell the British Government that not one of them would like to see Mahatma Gandhi to be killed in Jail, then I am afraid that day will not be very far off when they will have to repent of their action. The day of reckoning will come. I am pleading in all sincerity and in all seriousness with all sections of this House to do the right thing before it is too late. Let us try to be humane. Let the British Government

[Pandit Lakshmi Kanta Maitra.]

be humane on this occasion at least, and if they fail they will be to blame for what may happen hereafter. Mahatma Gandhi is looked upon as a national asset. We Indians will not allow that asset to be liquidated by the wrong and vindictive measure of the British Government. This is not the time to stand on false sense of prestige. Mahatma Gandhi is the greatest man in this country who has served his country for well over quarter of a century. I, therefore, appeal to all the Members present here to be united in their demand that Mahatma Gandhi should be immediately and unconditionally released. And I appeal to the Government to release him forthwith. If they remain adamant, Sir, I do not know what will happen to them, to their war effort and to this country. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Assembly do now adjourn."

Mr. N. M. Joshi (Nominated Non-Official): Sir, the situation which has been created by the fast of Mahatma Gandhi is a very grave one. One of two results in opposite directions are bound to follow. If the situation is wrongly handled, if the Government of India does not show any sympathy with the people of India, if they do not show an understanding of the feelings and sentiments not of Mahatma Gandhi but of the Indian people, the present political situation is bound to be worsened. Mahatma Gandhi's life may not be of great concern to the British people and to the Government of India, but we regard Mahatma Gandhi, as my Honourable friend, Mr. Maitra, has said, as a great national asset. He is a great Indian and I have no doubt in my mind that if the Government of India does not show any good will towards Indian people the results will be disastrous. The political situation in the country at the present time is a bad one, but I have no doubt that if Mahatma Gandhi is allowed to die as a result of this fast, it will be greatly worsened. Not only that, but I feel, Mr. President, that if unfortunately Mahatma Gandhi dies as a result of this fast the relations between the British people—not only the British Government and the Indian people—but between the British people and the Indian people will be permanently embittered. If Mahatma Gandhi dies as a result of this fast during this crisis, I have no doubt in my mind, that the Indian people will not forget this fact, but will never forgive the British people. Sir, it may be said that Mahatma Gandhi is accustomed to fasting and he may survive and even if he survives—as we all hope he will survive—the political situation will not fail to worsen. People will not forget the fact that the British people and the Indian Government did not show any concern sympathy or understanding to the feelings of the Indian people. Sir, is the Government of India justified in taking the steps which they have taken and they propose to take? Do the Government feel sure that they are right in this step? I feel nobody can feel so sure of being right in a matter of this kind that the risk involved to Mahatma Gandhi's life, the risk involved in worsening the present political situation and the risk involved in permanently embittering the feelings between the British people and the Indian people should be taken. I, therefore, hope that the Government of India will rectify the mistake which they have made.

My own view is, that the Government of India should have released Mahatma Gandhi long ago. He should not have been even imprisoned before he had an opportunity of seeing the Viceroy and discussing with him the Resolutions which the Congress had passed on August 9th. The Government of India made a mistake on that occasion. The Government of India had, now, made a mistake in permitting Mahatma Gandhi to go on a fast. I hope, Sir, they will have the wisdom to rectify the mistake before it is too late. Sir, if the Government of India deals with this question in the right spirit, shows understanding of the problem, shows at least sympathy, then I have no doubt, Sir, that the results that will follow will be all to the

good of this country and to the people of India and beneficial to the relations between the British people and the Indian people. Mahatma Gandhi, if he is released unconditionally, I have no doubt in my mind, he has said so in so many words in his letters, will reconsider the present political situation. He has stated in his letters that if he is released, he will consider the situation *de novo*. I have no doubt in my mind that Mahatma Gandhi, if he reconsiders the situation will come to the conclusion that it is not in the interest of the country that the present violence and sabotage should continue. He had reaffirmed his faith in non-violence. That was the object of Mahatma Gandhi in going on the fast. Some may say that he is seeking release by his fast. That is so. But certainly not because he is afraid of either remaining in detention. He wants his release because he wants, I have no doubt in my mind, to reconsider the situation. He wants to help the country out of the present situation. It may be said, why should not Mahatma Gandhi condemn violence from the jail. Mahatma Gandhi has stated very clearly and I sympathise with his view that he cannot condemn acts of violence taking them for granted without going into the evidence whether they had happened or they had not happened. (Laughter.) Well, Sir, it may be a matter of laughter to some of these people. I know the feelings of people in jail when they are asked to express opinions on current events. Only last year, I had an occasion to discuss this question in this very Assembly, the feeling of people in the jails. It was the case of communist detenus in jails. The Government of India had agreed to ask them certain questions regarding their attitude towards war. I had read in this very House a letter of one of the most prominent communists that he feels that it is not to his dignity to state from the jail that he had changed his view. It is not because people are afraid of some other people saying that they changed their views in order to secure their release. I feel that it is against the dignity of human beings that while they are in detention, while they are under duress, they should express opinions changing their views or judging current political events. Sir, the Government of India may not understand this feeling, but I do. I, therefore, feel that the Government of India may consider this question from the point of view of dignity of human freedom. It is only free people who can express their views and not persons in detention.

Sir, if we judge Mahatma Gandhi from his past, from the firm faith he has in non-violence, from the courage he has shown on several occasions in admitting his own mistakes and the mistakes of his own followers, I have no doubt in my mind and the Government of India should have no doubt in their minds in coming to the conclusion that if Mahatma Gandhi is unconditionally released, his release will improve the present political situation and all the risks which are involved in this fast will disappear. Sir, I feel it was wrong for the Government of India, it was unworthy of the Government of India, to impute the motive to Mahatma Gandhi that he was undertaking the fast in order to find a way out of the difficulty. The Government of India intended to say that Mahatma Gandhi will some day be brought before a Tribunal and Mahatma Gandhi was afraid of facing the Tribunal. Is there any Indian here who feels that Mahatma Gandhi is a coward, that he will be afraid of facing a Tribunal? Sir, is it right for the Government of India to talk of facing a Tribunal? It is only a few days ago that the Honourable the Home Member told us that the Government of India cannot make an enquiry into the doings of the Government. There was an amendment to the effect that all the events in that situation should be examined. Did the Government of India accept that amendment and the Resolution? If the Government of India had shown courage to face a Tribunal, then they could have talked of Mahatma Gandhi's inability to face a Tribunal. But the Government of India themselves had shown that they were unable to face the Tribunal, a Judicial Tribunal for examining their own actions, and even if I may say, the actions of the Congressmen. Sir, to talk of Mahatma Gandhi as trying to blackmail

[Mr. N. M. Joshi.]
is still more unworthy. I would say it is disgraceful to attribute such a motive to Mahatma Gandhi. What was Mahatma Gandhi to gain by securing his release? Is he not accustomed to stay in jails? What did he want to get? If he wanted to get, by his release through this fast, to have a reconsideration of the situation, is it blackmail? Do the Government of India not want it? I feel, Sir, that the Government of India allowed themselves to use language which perhaps in their sober moments they would not use and they would not consider right. Sir, the Government of India consider a fast as a blackmail and they translate it by calling it *himsa*. Sir, I feel that by our standards perhaps the fast may be *himsa*, but we cannot judge Mahatma Gandhi by our standards. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. N. M. Joshi: Sir, I will take one minute more.

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable Member's time is up.

Sardar Sant Singh (West Punjab: Sikh): Sir, in our college days a text book was prescribed and its title was "Help's Essays". In one of the essays it was written that 'a falsehood often repeated assumes the aspect of truth, and the man who started that falsehood comes to believe in it at one stage'. That seems to be the position of the Home Department in the Government of India. They have started with certain pre-conceived ideas about the administration and the methods of Government. They started on the theory of exploitation and hypocrisy against the people of this country, and after a rule of two hundred years they have come to believe that that is the honest way and the moral way of governing this country. I have nothing but pity for this mentality.

The Government of India, since the outbreak of the war, has been committing indiscretion, if not something more grave and more serious. From the beginning of the war it has been clear to them that the constitutional question of this country should be solved, but they lack the vision with the result that today we are faced with another crisis in the history of this country. To a man in the street it was quite clear that if the Government of India and, as a matter of fact, His Majesty's Government in Great Britain were earnest in solving this political deadlock in this country there were occasions when they could have easily done so. But they persisted in their wrong attitude with the result that the Indian National Congress went on stiffening in their attitude towards the war and so the Government of India and His Majesty's Government stiffened in reprisals towards the Congress till the 8th of August was reached and that Resolution was passed by the All-India Congress Committee. Before that if they had cared to visualize they would have found in some of the expressions of Mahatma Gandhi how his mind was working and to which side he was going. When he took up this slogan of 'Quit India', he is reported to have said that 'if you cannot leave India to God, leave it to chaos and anarchy'. Without going into the merits of this question, may I ask the members of the Government of India if such an expression was not an expression of a soul that was suffering the bitterest agony against the present administration and the system of administration in this country. I do not go into the question of righteousness or otherwise of this demand, but I ask in all seriousness and all earnestness from those who still have their faith in the religious teachings of their own religions whether this expression did not indicate the bitterest agony that was going into the soul of Mahatma Gandhi when he uttered these words. Was it not the climax of frustration which India today is feeling for want of a genuine National Government at the Centre? Well, they did not realize then.

We have come now to the question whether this crisis produces another effect, a different effect, upon the mind of the Government, or it does not affect them at all. From the correspondence one thing stands very clear and that is that the Government offered a conditional release to Mahatma Gandhi during the period of the fast. From this I infer that the Government of India did feel that the coming crisis will be too much for them. But they have a feeling of the maintenance of law and order. May I remind them of a fact from the history of Christians—it is from the Bible—that Jesus Christ was crucified in the name of law, but does humanity believe in that law today? Similarly, all prophets—the Great prophet of the Muslims—had to fight the battles against the then administration in order to preach the truth that he believed in for the time being. Similar is the history teaching of the Sikhs. Our several Gurus were crucified in the name of law, but today that law does not exist although these great men are respected, followed and claim millions of disciples in all the countries of the world. Is it not the time when religion and spiritualism should find some place in your politics? Mere temporal power that we know you are possessing—we know you possess machine guns and torpedoes and you can crush and destroy the people of India at any time you like—will not do. I appeal to you, to your sense of duty and in the name of spiritualism, I ask you: Are you not touched by this present crisis and will you not release Mahatma Gandhi and allow him to review the situation in the country and come to your assistance in solving the greatest problems that we are faced with today? Do you think that the winning of this war would be worth anything without the preparations for the future order in the world, and can you believe for a minute that the future order in the world will be maintained by mere brutal force which you can claim today? Certainly I am of a different opinion. Mahatma Gandhi is a personality who has got a place in the heart of every Indian, if not every decent man in the world today. The whole country looks up to him for something nobler, for something higher. For such a noble spirit who appears once in generations on this earth you have got no place but a jail, a detention camp, or a concentration camp.

May I still, Sir, appeal to the Government and to the Honourable Members, the Indian Members of the Executive Council, that they should not rely upon the rules and regulations on which they want to take their stand? The crisis has come and they should rise up to the occasion. India demands, and rightly demands, that its soul should be freed from all restrictions: and who is the best expression of India's soul, if not Mahatma Gandhi. Mahatma Gandhi's death in jail will be just like the birth of Krishna in Jail. Krishna was born in jail, and when he came out of it, the whole empire trembled and he revolutionised the whole country during his life-time. Similar will be your fate if you do not listen to this advice at this time. We may not be able to carry the resolution by vote and censure you, but our censure does not carry much weight. It is the censure of humanity that will trouble you in your sleep and will appear to you as a phantom when you have retired from life, if you do not rise to the occasion now and do justice to India by unconditionally releasing Mahatma Gandhi. We are avoiding, as far as possible, his politics and his policy. We have avoided deliberately to enter into the controversial questions for obvious reasons. But one thing stands out and dominates the situation, and that is that Mahatma Gandhi's fast must not be allowed to be continued in a detention camp. Against that our soul is revolting today and we would wish the Government of India to take a realistic view of the situation, and not merely the materialistic view. In that hope, I wish we get a good response, a favourable response from the Treasury Benches. They are there to see to the welfare of the country, and the welfare of the country lies in listening to the demand, the unanimous demand, of the public in this respect. I hope, Sir, that our appeal, humble though it is, will carry some conviction to the minds of those who are at this time in charge of the government of the country. With this, Sir, I support the motion.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, Mahatma Gandhi's fast is a matter of grave concern to the people and the Government alike. That people all over India have been greatly perturbed by the news of the commencement of this fast is evident from the statements to the press and the resolutions adopted by important public bodies and commercial organizations.

It may be said that Mahatmaji is a past master in the art of fasting and that there need not be any anxiety for his life. But should we forget that Mahatmaji is now 75 years of age, and that his health is far from good? The bulletin which was issued yesterday by the Government of Bombay said that his health was not as satisfactory as it had been the day before. What does that mean? That certainly means that there has been some deterioration in his health. It is true that Gandhiji says that he hopes to survive the ordeal, but his hope may not be realized in the present state of his health. And if the worst comes to the worst, if his fast in detention leads to his death, what will happen? Will not that embitter the feelings of large masses of the people in this country? There are considerable differences of opinion between the policy and programme of Gandhiji and those of other parties; I and my Party have our own differences with him. But it cannot be denied that Gandhiji is a great and outstanding figure, not only in India but in the world. The consequence of his death in detention will, therefore, be a permanent estrangement between India and Britain? This we ought, by all means, to avoid. We should also consider what will be the effect of his death on world opinion. Gandhiji is a great world figure and it is quite clear that the reaction of world opinion is not likely to be favourable to the Government of India.

On the other hand, let us consider the probable effect of an unconditional release of Gandhiji. To me it seems unthinkable—unimaginable—that if he is unconditionally released, Gandhiji will utilise his freedom for spreading lawlessness in the country. If the Government think that there is that possibility, they may put him into detention again. But that is not likely. It seems to me more probable that this will give Gandhiji an opportunity for examining the situation afresh and in a new light. Nothing but good will come out of this.

Sir, I am not one of those who believe that fasting is a suitable method of solving political problems. Nor do I think that the period of a fast is an appropriate occasion for discussing questions of a controversial character. But what I do hold is that Gandhiji's release will create a favourable atmosphere for the consideration of all political problems. His release is likely to prove helpful to the ending of the present impasse.

It is not the purpose of this adjournment motion to discuss controversial matters. It is not the purpose of this motion to lay the blame for the genesis and the continuance of the present state of things at the door of this party or that party. It is the purpose of the present motion to save a precious life. Let, therefore, all discord be hushed into silence and let us all be united in pressing the demand on the Government for preserving the life of a man of Gandhiji's capacity and character for service to India and to the world.

Sir, in the name of humanity, in the name of communal harmony, and in the name of goodwill between the Government and the people, I appeal to all sections of this House, including the Treasury Benches, to accept this motion.

Mr. T. T. Krishnamachari (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Mr. President, I rise to accord my support to the motion of my Honourable friend, Mr. Maitra, who moved it in such stirring terms. My only regret is that I am not capable of translating the feelings of millions of my countrymen today, the hopes and fears that throb in their hearts; and nobody in this House can deny that those feelings will grow in intensity as the hours pass and as long as that great soul lies imprisoned in Poona—without food or sustenance. We have been told by previous speakers, speakers who rightly pleaded for goodwill on all sides, that political controversies had better be

eschewed in a discussion like the one now before the House. I bow to their decision, but it is impossible for anybody with any feeling of patriotism or love of his country to pass without challenge the provocative sentiments that the Government have chosen to express by means of their letters to Gandhiji. As has been stated by previous speakers, Gandhiji's fast has been characterised as a piece of blackmail. Very unwise, that word chosen by whoever it may be. Whoever advised the head of the Government to choose that word has not done either the British Government or the British Indian Government any service. Whatever might be the result of the present impasse, that particular word will go down in history and will be remembered as having been flung against the greatest Indian of the last five hundred years and more. Is it a piece of blackmail for a person to say "You are casting undue and uncharitable aspersions on me; you wrongly characterise me as the origin of all the evil which you impute to the Congress organisation. I have no means of justifying myself as I am in prison, excepting by the only method that the law of satyagraha affords to me." If this is blackmail, I do not know what all could not be construed as blackmail.

It is surprising that the Government should not have chosen to utilise this particular opportunity, the opportunity that has been furnished to them, of settling the present impasse. Surely the people who man the Government today, with all their inherited and accumulated experience, should have realised that nothing would have happened if Gandhiji had been released: possibly they might still continue in power not merely for six months, not merely for twelve months, but perhaps for years, without their being ousted from their privileged positions. What did the Government want? Government wanted an admission of guilt on the part of Gandhiji: he had to admit that he was wrong, that he was the cause of all the evil that was imputed to the Congress and to him; it was only on that condition that further negotiations would be allowed. But if they really wanted a positive contribution from him, the obvious thing was to place him amidst his colleagues which he wanted. History will record that a glorious opportunity has been lost, a glorious opportunity to rid this country of the sufferings and the travail that it has gone through during the last seven or eight months. But it is not my place today to criticise the Government for having missed opportunities. The British Government in India have missed several opportunities to make India her friend; but what really concerns me most today is the sequel to this fast. Twenty one days. We hope that Mahatma Gandhi will survive the ordeal; but it seems scarcely possible. Are we to sit here with folded hands and await the result, a result which will certainly stir the depths of the hearts of the people of this country, and will make ordinary government impossible for a long time to come? Are we to have the incidents of August and September and October repeated with ten times greater severity and sit here with folded hands to see the British Indian Government achieve that undesirable result? May I ask, as Honourable Members have asked before, whether the Indian Members of the Executive Council have come unanimously to this decision along with their non-Indian colleagues? Unanimity was said to be the characteristic feature of the decision taken by this Government in August last. Unanimity was stressed not merely in India but in England, in the Houses of Parliament—that Indian Members and European Members were unanimous in deciding the course that was adopted by the Government of India in August last. May I ask whether that unanimity existed in taking the decision not to release Gandhiji when he decided to go on a fast? May I ask how many Indian members really did stand up and say, "This shall not happen. The greatest man of India for ages past and for ages to come perhaps shall not die in prison as an ordinary felon"? May I ask if Indian Members, men of my own colour, will stand up and say, "Well, we tried our best but we could not succeed"? I do not ask for your resignation but I would like to be assured that unanimity did not exist in this particular instance, that unanimity did not exist where a possible, shall I say, murder is likely to be the result. That, I think, Indians are entitled to ask of their fellow countrymen

[Mr. T. T. Krishnamachari.]
in the Executive Council. That, I think, I am entitled to ask in this forum that has been furnished to me through the kindness of my own compatriots.

Warnings have been administered to the Indian Members of the Executive Council; appeals have been made to the European Members of the Executive Council; an appeal has also been made to all the members of this House and to all castes and communities in the name of humanity. I shall put it in another way. Yes; we can make appeals, we can quote scriptures, we can cite religious experiences of the past; but what I am appealing to is this: the instinct of self-preservation demands that the situation should be met fairly and squarely; and if these people who man the Government today, who hope to continue as Members of the Government, if they want to be justified in the eyes of humanity and history, they have got to act. Otherwise, we do not know what will happen. It might be that the Government, armed as it is with a large amount

5 P.M. of power behind it, with the military behind its back,—the Government may feel that nothing will happen. But, Sir, as my Honourable friend, Mr. Maitra, has said, I shudder to think of the results of Government's continued intransigence in a moment like this, particularly as we know that the name of Mahatma Gandhi is known to every man, woman and child in every nook and corner of this land, people who revere him as great as, or even greater than, God. . . . (Laughter.) It might evoke laughter, but those who do worship images do entertain feelings of that sort, though my Muslim friends are unable to capture the idea even with the help of their imagination.

I want to make my final appeal to my own countrymen. As I said before, I want them to act. I do not want them to wait until things get worse. Many people seem to think that if Mahatma Gandhi's position gets worse he will be released. It might happen, it might not happen. Perhaps as things are, I feel that it might not happen for the reason that here is an opportunity provided for the Government to get rid of an incubus. But they would not act. They find that they are secure, and as they are secure to-day they do not want any change in that condition. If that is the motivating force of the Government in refusing the appeal of Mahatma Gandhi for co-operation in the task of reconciliation, obviously they may not relent if his physical condition grows worse. It is no good laying much store on the possibility that the Government might release him if his condition is likely to get worse. If he gets worse, the condition of this country would be something that it would be impossible for them to handle, and Indian Members of the Executive Council specially must realise that their position in this country as Indians would become almost intolerable. I have no doubt that this adjournment motion would not have been moved in vain if the appeals made by several Members of this House to the Europeans and Indians alike do not fall on deaf ears. Sir, I support the motion.

Nawabzada Muhammad Liaquat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): I have listened to the speeches that have been made by the Honourable Members of this House with great care, sympathy and due consideration. I fully sympathise with the sentimental concern which my Hindu colleagues of this House feel over the self-inflicted ordeal which their leader is undergoing. I join in the hope which has been expressed, that Mr. Gandhi will survive this ordeal. But I am afraid, not being a spiritualist, I do not either approve or believe in spiritualised politics. I believe in honest, clear and practical politics, and that is the only way if this country is to make any advance towards the goal which it has set for itself, namely, freedom for every nationality inhabiting this sub-continent.

Mr. President, all this and all that has happened during the last seven months has been the direct result of that tragic, that unwise decision which was taken by the Congress on the 8th of August, 1942. For the first time, after having repeated for the last 20 years or more their belief that Hindu Muslim unity was the condition precedent to any freedom for this country, the Congress in Bombay overthrew this main plank of their policy and adopted as the new policy that

unless the British quit India there was no possibility of Hindu Muslim unity. Further the Congress adopted in August last the weapon of mass civil disobedience to be used for the acceptance of this demand by the British Government. And all this was done without paying the slightest heed to the sentiments, to the aspirations, and to the ideal of the hundred millions of Mussalmans. The Working Committee of the All-India Muslim League met very soon after this decision of the Congress, and they, after very careful consideration, declared that the decision that the Congress had taken in Bombay was not meant to achieve freedom for every nationality in this land but was for the domination of one community over the whole of India, and that the adoption of the policy of civil disobedience—which Mr. Gandhi himself had stated that without Hindu Muslim settlement would be a declaration of war on the Muslim League and Mussalmans—was really adopted not only against the British Government but against the Mussalmans also and this was so on the admission of Mr. Gandhi himself. What followed that tragic decision is recent history. We know that that decision was responsible, in spite of what any Honourable Member of this House might say, for the unprecedented violence that took place throughout the length and breadth of this country.

Then, Sir, we put forward a proposition for the solution of India's problem. The Muslim League made certain proposal which I am sure every Honourable Member of this House is aware of. Honourable Members will forgive me if I do not go into it in detail and repeat here all that was said in the resolution because I have very little time at my disposal. But I know that that resolution has been the subject matter of discussion in the press and on the platform and is well known to everybody. We were appealed to by our Hindu friends that Mr. Jinnah and the Muslim League should approach Mr. Gandhi and the Congress because some credulous people believed that all that had happened in the country had changed the views of Mr. Gandhi regarding the question of Hindu Muslim settlement. But the correspondence that has been published and which has been read I am sure by every Honourable Member of this House shows that, as far as the question of Hindu Muslim settlement is concerned, Mr. Gandhi does not mention even a word about it. His position to-day seems to be exactly the same as it was on the 8th of August last. He asked the Viceroy to convince him that the decision of the 8th of August was wrong. All the declarations of the Muslim League on behalf of the Mussalmans have carried no weight with him.

Bhai Parma Nand (West Punjab : Non-Muhammadian) : What about his offer in requesting the Viceroy to hand over the Government of India to Mr. Jinnah?

Nawabzada Muhammad Liaquat Ali Khan : I am glad my Honourable friend has pointed out that. He says that his offer is there, that Mr. Gandhi does not want the Government for the Congress. He is willing if Mr. Jinnah is invited to form a Government, and now I would request the Honourable Member to note very carefully his next sentence, to form a Government responsible to the elected Legislature where 75 per cent. will be Mr. Gandhi's followers and 25 per cent. Mr. Jinnah's followers. Now, I want to know how long can that Government last?

Sir Syed Raza Ali (Cities of the United Provinces : Muhammadan Urban) : Fully 24 hours!

Nawabzada Muhammad Liaquat Ali Khan : My Honourable friend, Sir Syed Raza Ali, is an optimist. I was saying that there does not appear to us to be any change in the policy which the Congress had laid down in August last, and in view of that and as far as our conviction is concerned, we see no light. We believe that there is no future for this country unless there is a Hindu Muslim settlement, that there is no freedom for this country unless every nationality is made to feel free in India. Mr. President, from the correspondence that has been published it does not appear that there is any likelihood of

[Nawabzada Muhammad Liaquat Ali Khan.]

any effort being made in that direction for the time being. Sir, I would request those Honourable Members who have been appealing to us to convince us—and I will not undergo a fast if they do not succeed in convincing me—that if Mr. Gandhi is released, there is a probability of a Hindu Muslim settlement. On the contrary, what do I see today? The resolutions that are passed by all the Hindu organisations, the propaganda that is being done by the Hindu press is against the Muslim League and against the Mussalmans.

Sir, another revelation has been made through this correspondence. The Viceroy has stated in so many words that Mr. Gandhi and his friends and the Congress knew as to what would be the result of their decision of August last. Not only that, but he has stated that they were ready and willing to condone that. Not only that, but that the organisation as such has been responsible for what has happened in the country; and all this chaos and anarchy was created at a time when India was threatened by a foreign power. Now, Sir, in short, on the evidence which is before His Excellency the Viceroy he believes the Congress to be the enemy of the country and yet we are asked that unless the Congress agree to some proposal, the British are not prepared to transfer power to the other Indians who are left outside the Congress. We are asked that, unless we come to terms with a Party which on their own admission is the enemy of the country, nothing can be done by the British for this unfortunate land of ours. This shows, Mr. President, that the British also cannot do away with the responsibility which lies on their shoulders in this respect. To put the position in a nutshell and in common parlance, it seems to me that two persons who profess to be friends are having a dispute over the possession of a property which does not legitimately belong to either of them. Mr. Gandhi says, "You put me on the *gadi* of India and protect me and keep me there with your British bayonets". His Excellency Lord Linlithgow says, "Damn it, if I have to use British bayonets, why should I not keep myself installed on the *gadi* of India". That seems to be the quarrel that is going on, and the Mussalmans and all those who are neither in this camp nor in the other are out of this picture.

An appeal has been made not only on the floor of this House but outside that we should put up a united demand for the release of Mr. Gandhi. Sir, the Muslim League has not got the power and authority. We can neither support the release nor the detention of Mr. Gandhi in jail and the reason is obvious. It is the duty of the Government to maintain law and order and peace in the country and it is their responsibility to decide for themselves whether this can be done better by the release of Mr. Gandhi or by his detention in jail. That, Sir, is our position. If the Muslim League had been in power today, if it had been in a position to control the situation that might have arisen if either of these two actions was taken, then it would have been for us to decide. We certainly do not propose to take the responsibility upon our shoulders when we have not got the means to control the situation that might be created in the country.

Sir, my Honourable friend, Dr. Banerjee, appealed to us in the name of communal harmony. I assure him that there is nobody who wants communal harmony more than we on this side of the House. But he did not tell us how the release of Mr. Gandhi would achieve that noble object. Is he convinced, has he got any proof, that Mr. Gandhi, if he were released unconditionally, would at once engage himself in finding a solution of the Hindu Muslim problem? Is he (Dr. Banerjee), who is not in jail, prepared to concede to the Mussalmans their legitimate demands? On the contrary, what I find is that there is opposition from all sides. Sir, as I stated in the beginning, we have every sympathy for the sentiments of our friends, but I am afraid we are unable to join them in this demand for the reasons which I have tried to place before this Honourable House.

Sir Henry Richardson (Nominated Non-Official): Sir, I have no desire to make a long speech on this subject and my sole reason for intervening is that I feel this House should not be left in ignorance as to the view which we on this side hold regarding the subject of this motion.

Unfortunately, it appears that the challenge which the Congress Party issued to authority last August has once again been put forward in a different form. Then it was "Comply with our wishes or we will declare civil disobedience". Now it is "Comply with our wishes or our Leader and Dictator will endanger his own life". I wish to say nothing which may induce more bitterness, but I can point to no difference in the main intention. The pistol is once again placed on the head of authority and the Government can no more submit to the threat than they could last August. It may be self-immolation but it is none the less coercion and no Government worth the name can submit to it and retain any authority. We, therefore, fully approve of the attitude which the Government has taken up.

When reading the correspondence which passed between His Excellency the Viceroy and Mr. Gandhi, the necessity for facing the stern realities of the situation in which we find ourselves is clearly apparent. To charge Government—whatever their shortcomings—with responsibility for planned sabotage of communications surely cannot be accepted seriously. You may goad people into a sudden riot as an exhibition of rage or frustration, but you cannot goad them into cold and calculated planning of large-scale sabotage to take place at a time when the danger of invasion is at its peak. "Do or Die" was the slogan which Mr. Gandhi left to his followers; did this merely refer to non-violent activities? Mr. Gandhi in his correspondence hints that civil disobedience might have been avoided if Congress leaders had not been placed in detention; does that mean that the threat was merely bluff? Does it mean that although the pistol was primed and ready, the trigger would not have been pressed in any circumstances? If so, let it be remembered that it is the primary duty of any Government to prevent any grave menace to peace and tranquillity, a responsibility which will equally rest on any purely Indian Government of the future. If the threat was real, then was not abdication the sole alternative, and the abandonment of all those elements which disagreed with the Congress plan for transfer of power? Surely there was nothing else.

And now we are faced with a similar threat albeit employing different tactics. Under Nazi rule, there is no easier road to sudden death than political opposition. In a Nazi concentration camp there would be no need for Mr. Gandhi to endanger his health or his life; both would be in sufficient danger. The strength of the latest threat lies in the fact that authority here desires that no one shall suffer extreme penalties for his political views even though he rebels openly against that authority. But should a person insist upon inflicting upon himself the same danger that extreme penalties would carry, authority is powerless to prevent him doing so.

Putting aside political views, we fully understand and appreciate the great respect and reverence which the person of Mr. Gandhi commands and we fully sympathise with the horror which a fatal result to his fast would evoke. To those who have, we understand, asked him to desist from this course, we add our own earnest request and support. On the other hand, we view with no less horror the deaths of all those innocent victims who died violently as a result of the declaration of civil disobedience. The fast is no less a threat to authority without which there would come a chaos which we dare not contemplate.

Let there be no confusion in anybody's mind between the specific issue of Mr. Gandhi's fast on the one hand and the general question of transfer of power to India on the other hand. On this latter issue the views of my community have already been declared that we stand fully by the pledges of

[Sir Henry Richardson.]

His Majesty's Government. On the first issue however we are determined that there shall be no surrender to lawlessness and coercion which were condemned by speaker after speaker in the debate last September. We cannot afford to undermine authority in times like these.

The Honourable Sir Reginald Maxwell: (Home Member): I must thank the Honourable the Mover and other Honourable Members who have spoken in this debate for the serious and moderate tone of the speeches that have been delivered. I shall try to reply in the same spirit. But I must not shrink from presenting in full the case of Government.

The correspondence that led to this fast—and no one can deny the patience with which it was conducted—is there for anyone to interpret as he chooses. It can perhaps be read in the light of the following facts. When the Congress party passed their resolution of August 8th, Japanese attack on this country was thought to be likely. By demanding the withdrawal of British power from India and by placing Congress in open opposition to it the Congress party might be thought to have hoped for some advantage to themselves if the Japanese attack succeeded. Or at least such a movement at the time of enemy attack would have been more likely to be successful in attaining its object. Today, six months after, the Japanese danger has, at any rate for the time being, receded and there is little immediate hope from that quarter. The movement initiated by the Congress has been decisively defeated. Now, therefore, it is the object of the Congress party to rehabilitate themselves and regain if they can the credit that they have lost. Thus they are now concerned to disclaim responsibility for the consequences that followed their decision. The point is taken up by Mr. Gandhi in his correspondence with the Viceroy. The awkward facts are now disowned as “unproved and in my opinion unprovable charges hurled against the Congress and me”. On this assertion Mr. Gandhi takes up his stand: “Surely I can say with safety that it is for the Government to justify their action by solid evidence.” To whom are they to justify themselves?

Sardar Sant Singh: Before an impartial enquiry committee?

The Honourable Sir Reginald Maxwell: Elsewhere in his letters Mr. Gandhi makes this clear. He says: “convince me that I was wrong and I will make ample amends”. In the alternative he asks “if you want me to make any proposal on behalf of the Congress, you should put me among the Working Committee Members”. So far as can be seen, these were the demands when he conceived his fast. There is no other solid demand made. But now, fresh light emerges. Government without granting any of his demands informed Mr. Gandhi that they would release him for the purpose and for the duration of the fast in order to make it clear that they disclaimed responsibility for the consequences. On that, Mr. Gandhi replied that if he were released, he would at once abandon the fast, and that he had conceived the fast only as a prisoner. Thus, if he were released, the objects for which he declared his fast although still unfulfilled, would recede into the background. As a free man, he would neither demand these objects nor fast. Interpreted in this way, his fast would seem to amount to little more than a demand for release.

If that were the issue, I could quote several resolutions of the Congress Working Committee against him. I could quote a resolution of the Congress Working Committee dated 3rd February, 1938, or their resolution of 12th August, 1939. But it is more significant that Mr. Gandhi himself took up the subject in the *Harijan*, dated 19th August, 1939. There, he says:

“Hunger-strike has positively become a plague.”

He goes on to say:

“It is well, therefore, that the Congress Working Committee has condemned the practice in unequivocal terms, so far at least as hunger-strike for discharge from imprisonment is concerned.”

On the ethics of hunger-striking, Mr. Gandhi had something to say in the *Harijan* of 20th May, 1939, after his Rajkot fast:

"I now see that it was tainted by *himsa*."

Further on he remarks,—

"This was not the way of *ahimsa* or conversion. It was the way of *himsa* or coercion."

After owning that the results of the fast had turned against him, he adds,—

"This method, I admit, is wholly inconsistent with *ahimsa*."

Well, Sir, I must confess that speaking for myself it is certainly repugnant to western ideas of decency to exploit against an opponent his feelings of humanity, chivalry or mercy or to trifle with such a sacred trust as one's own life in order to play on the feelings of the public for the sake of some purely mundane object. But that is a matter for each man to settle with his own conscience. It is not, therefore, for me to judge any man. All I am concerned with is what the Government ought to do when this method is employed to put pressure on them.

Now, let us examine Mr. Gandhi's position. What he says in effect is this. You say, Government is right and the Congress is wrong. I say the Congress is right and the Government is wrong. I choose to put the burden of proof on you. I am the only person to be convinced. You must either admit you are wrong or submit your reasons to me and make me the sole arbiter in the matter: unless you do so, I fast. But, it appears later, if I am released, I do not propose to fast for any of these things, even though they remain unfulfilled. It seems to me that Mr. Gandhi's demand is rather like asking the United Nations to appoint Hitler to adjudge the responsibility for the present war. It is not usual in this country to put the accused person on the Bench to judge his own case.

Mr. Gandhi is the leader of an open rebellion in which he denies the authority of the existing Government and seeks to overthrow it. Before that, he was entitled to be heard by Government like any other subject and was heard. But by declaring civil war, a method that repudiates the method of discussion, he forfeits that right so long as he remains an open rebel. He cannot claim to function except through the success of his own method. He cannot take part in public life under the protection of the law that he denies. He cannot be a citizen and yet not a subject. This was the position resulting from the Congress resolution of 8th August. It was passed in unequivocal terms demanding the withdrawal of British power from India and the declaration of India's independence. For the enforcement of that demand, the All-India Congress Committee resolved to sanction the starting of a mass struggle on the widest possible scale. "Such a struggle", they said, "must inevitably be under the leadership of Gandhi" and the Committee requests him to take the lead and guide the nation in the steps to be taken."

In some of the published correspondence, Mr. Gandhi has made much of his intention to seek an interview with the Viceroy. But the Congress resolution still stood, together with Mr. Gandhi's own words, "do or die". The Government communiqué, on the subject of this fast, has already reminded the public of Mr. Gandhi's statement made on 14th July that there was no room left in the proposal for withdrawal or negotiation; there was no question of one more chance. I may again quote Mr. Gandhi's own words from the full text of his speech delivered in Hindi on the evening of 8th August after the All-India Congress Committee had passed the "Quit India" resolution sanctioning mass civil disobedience. These are extracts from his speech:

"Every one of you should, from this moment onwards, consider yourself a free man or woman and act as if you are free and are no longer under the heel of this imperialism."

Now, listen to this:

"You may take it from me that I am not going to strike a bargain with the Viceroy for Ministries or the like. I am not going to be satisfied with anything short of complete freedom." "We shall do or die. We shall either free India or die in the attempt".

This is open rebellion.

[Sir Reginald Maxwell.]

Now, Sir, I would remind the House that it is not the method of peaceful persuasion to go to the person whom you wish to convince armed with a resolution declaring mass rebellion. The essence of negotiation is that both parties should be uncommitted and that neither should exert the pressure of force on the other. That is true in any circumstances. But as between a subject and the State which rules him, the position is still more emphatic. It is not for the subject to deal with the State on equal terms, still less to approach it with an open threat.

But, apart from the position in which Mr. Gandhi has voluntarily put himself, has the State, as the custodian of all the country's interests, nothing to say about all that has occurred? I forbear to utter reproaches. But I repeat that Government does hold Mr. Gandhi responsible for the recent happenings that have so disturbed the peace of India, caused so much loss of life and property of innocent persons and brought the country to the brink of a terrible danger. I do not say that he had any personal complicity in acts of violence, as Mr. Joshi wished to make clear, but it was he that put the match to the train carefully laid beforehand by himself and his colleagues. That he was forced to do so prematurely was not his fault but our fortune. This was the method by which they hoped to gain their ends. They may seek to repudiate it, now that it has proved unsuccessful, but the responsibility is theirs none the less. Indeed, if it is not, why does Mr. Joshi say, release Mr. Gandhi and he will declare himself against violence, as though it depended upon him to call off this movement? The deeds that have been done cannot now be undone. If Mr. Gandhi wished to dissociate himself from them, he could have spoken for himself without consulting the Congress Working Committee. Can he then without cancelling the Congress rebellion, without reparation, without even assurances for the future, claim at any moment to step back as though nothing had happened into the public life of the country and be received by Government and society as a good citizen?

Sardar Sant Singh: Leave the society alone.

The Honourable Sir Reginald Maxwell: Surely he and his colleagues, the Congress leaders have much to live down first.

When, therefore, the Government found that the fast could only be prevented by unconditional release—which if justifiable in Mr. Gandhi's case would be equally justifiable in the case of all the Congress leaders—they had no choice but to adhere to the policy already declared. That policy was either right or wrong in itself. Its rightness or wrongness could not depend on the quantity of food consumed by Mr. Gandhi six months later. If the Government conscientiously believed that it was right a fast could make no difference to it. The Government could not surrender their judgment under threat of a fast. To do so, indeed, would not be in accordance with Mr. Gandhi's own principles.

The situation is that the fast is claimed as a method of non-violence. Government have met it non-violently by stating that they were ready and are ready to set Mr. Gandhi at liberty for the purpose and duration of his fast. But apparently he desires his object only as a prisoner. "If, therefore," he says, "I am released there will be no fast in terms of my correspondence above mentioned". He wants to fast only in custody. But Government have made it clear that the custody is his own choice, so far as that is concerned, Government are not responsible at all. But they have, so far as it is possible, allowed him as much privilege during his fast as he would have enjoyed as a free man. He has stated that this is a fast according to capacity and that he does not desire to take his own life. Government can only hope that at this late hour he may realize the peril, the folly, and, I might even say, the unworthiness of attempting to do what may be beyond his power. Sir, I oppose.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, my Party has made it absolutely clear that in sponsoring this motion we are entering into no political issues, that the policy of the Congress or the Mahatma or the policy of the Government are not the issues which will be included in the discussion of this motion. In pursuance of that decision of my Party I shall not enter into the discussion of the political issues but shall ask Government to look at the situation from their own point of view. The speech of Sir Reginald itself ought to be a reason for releasing Gandhiji. What does he want? He wants that the Mahatma should revert to citizenship instead of being a rebel. What proof does he want? The Mahatma has given ample proof in the correspondence that he is hoping to return to citizenship. The very fact that the Mahatma has promised to examine the situation *de novo* is most significant. It can only mean—unless the Government want to humiliate him further—it can only mean that he is honestly willing to return to lawful ways. He may come to any conclusion, but he is prepared to re-examine the situation. What more do you want? I, therefore, urge that Government should not stand on the technical position whether the Mahatma recants in so many words the resolution of the 8th August last. That would be a pure attempt to humiliate him and not to take advantage of a very favourable situation which has arisen. I can tell Sir Reginald that this is the most favourable situation for releasing him. Don't examine the logical ways of the Mahatma. He is a Mahatma. Logic is not his strong point. You must not examine too minutely whether one day he was more right than on the other, because he has declared about a year ago: "Don't tell me what I said yesterday. Follow what I am saying today".

Dr. P. N. Banerjee: What about tomorrow?

Mr. Jamnadas M. Mehta: Tomorrow will look after itself. Therefore, I ask the Government that the Mahatma has gone, as far as he can go, in demonstrating that he is prepared to negotiate further and on that basis I will request the Government to release him, if it is likely to open the door to political conciliation the Government should not be too strict on technical aspects, whether the Mahatma has openly withdrawn his resolution of the 8th of August or not.

There are two or three more points which I wish to emphasise. One is, I wish to assure the Indian Members of the Executive Council that we are seeking no censure on them. We are not considering them as blood-thirsty, unpatriotic people who are in league with the foreign Government. They must not fear that in moving this motion we have withdrawn our co-operation with them. Their position is pathetic, they cannot defend themselves, and, therefore, I want to assure them that there is no intention to brand them as blood-thirsty, unpatriotic selfish people who are sticking to office for the sake of personal gain—all that is not at the back of our mind.

Mr P. J. Griffiths (Assam: European): Is it at the front?

Mr. Jamnadas M. Mehta: Not even at the front. I assure you. I am saying it openly. Why are you so uncharitable? We have given them our congratulations when appointed. We shall not withdraw our co-operation from them. The only thing I wish of them is that they should place my point of view before the Executive Council that this is the most favourable opportunity for political conciliation—and make that representation to His Excellency the Viceroy.

The other point is this. My Honourable friend, Nawab Sahib, was quite wrong in his estimate of the Mahatma. Mahatma may be born a Hindu; but he is not a Hindu today.

Sir Syed Raza Ali: But he is greater than God.

Mr. Jamnadas M. Mehta: You must excuse a younger man during times of excitement.

All I want to say is that the Nawab Sahib is entirely wrong. There is no better pro-Muslim in this country than Mahatma Gandhi. The resolution of the 8th of August is quite clear. There is no greater pro-Muslim in this country

[Mr. Jamnadas M. Mehta.]

than Mahatma Gandhi and it is because he is so partial that there is a Hindu Mahasabha in this country. But so far as Mahatma Gandhi is concerned, you can solely trust him to do you not merely justice but generosity. He has done, he is doing it and on the 8th of August resolution—read the resolution—he was even willing to give the whole of the Government to Mr. Jinnah without any reservations. The Congress and the Mahatma are over-generous to the Muslims.

Sir, with these views and submissions I support this motion. There is no sense in the phrase unconditional or conditional release. Everybody here is free only conditionally. Everybody is free on the condition that he obeys the law. The Honourable the Home Member himself is free only on the condition that he obeys the law. Therefore, let the Mahatma be free; he may be free only on the condition that he obeys the law. If he does not, the law will take care of itself. Sir, I support.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): Sir, there are many friends of Mr. Gandhi and many of his opponents who declare that Mr. Gandhi's mentality is a puzzle. On some days Mr. Gandhi has really proved himself to be a saint. On other days Mr. Gandhi has given his friends and his opponents the impression of being a clever, astute and experienced politician. The correspondence that has been placed before us is as puzzling as was to be expected from any correspondence with Mr. Gandhi. But what we are discussing here today is a vote of censure. The form in which the discussion has taken place is an adjournment motion.

Dr. P. N. Banerjee: I made it clear in my speech that it was not a vote of censure.

Sir Cowasjee Jehangir: You cannot move an adjournment motion which is not a vote of censure. It is a rule of the House. We have to know for what purpose the censure is moved. Is it because the members of the Congress Committee were arrested at the time they were, or is it a censure motion on Government for not having released Mr. Gandhi as soon as he declared his intention of having a fast? Those are the only two reasons for an adjournment motion that I can think of.

Now, Sir, on the first point, I would like to refer to the speech made in this Honourable House by Mr. Jamnadas Mehta in very eloquent terms the other day. I did not see it reported in the press, Indian or English. So I will take the liberty of repeating it. What Mr. Mehta said was that it was a mistake not to have arrested the Working Committee when they passed their Working Committee resolution, and to have waited for them to endorse it at the meeting of the A. I. C. C. Now, Sir, it is contended that the arrest should have taken place after the interview sought by Mr. Gandhi with the Viceroy. Well, if that is so, they certainly would have had more time to organise and perfect their plan of "do or die". Mr. Jamnadas Mehta was representing a point of view when he said it was a mistake to have allowed them the time they had. It naturally follows that it would have been a greater mistake to have given them further time after they had passed the resolution at the A. I. C. C.

Now let us come to the other point of censure, *viz.*, that Mr. Gandhi should have been released as soon as he declared that he was going in for a fast. No man in this House or outside, whether he be a Congressman, a Mahasabhi, or a Muslim Leaguer, or a Liberal, wants to see Mr. Gandhi imprisoned. He would rather have Mr. Gandhi a free man, and I would certainly prefer to see him a free man, advocating his views as a free man and freely. But this correspondence has taken my breath away. It has surprised me. I never expected for one minute that Mr. Gandhi would have expressed such opinions as he has done. He has declared from the housetop that he has just as great faith in non-violence as he ever had before. Well, if that is so, I do not think it can be said that since the 8th of August, we have had no violence in India. We have

had murders, bombs, dislocation of traffic which has caused the loss of lives of men, women and children. Even today we are having bombs daily in different parts of India, and they are nothing but cases of attempted murder. But Mr. Gandhi is a faithful follower of his own creed of non-violence. It does not matter who caused that violence, who instigated it, or what were the reasons for which the violence takes place. He ought to be prepared to condemn it for the sake of the principle of non-violence and not wait to examine the reason for that violence. I would have expected to see in this correspondence some unequivocal expression of opinion that violence, from wherever it comes, and for whatever reason, is repugnant to the saint Gandhi. But to my surprise and horror, I find here a few words which have been a shock to me. I will just read these few words. Government have stated, I do not know with what correctness, that there is a woman, the wife of a member of the Working Committee, who is today underground, and whom they accuse of instigating, or having instigated, or being one of the organizers of these bomb outrages. They have put down that accusation in writing and this is Mr. Gandhi's reply:

"If the wife of a member of the Working Committee is actively engaged in planning bomb outrages and other acts of terrorism, she should be tried before a court of law and punished if found guilty. The lady you refer to could only have done the things attributed to her after the wholesale arrests of the 9th August, last, which I have dared to describe as leonine violence."

Because this woman does these things in her anger at the arrests, he tries to find an excuse for her. I should have thought that Mr. Gandhi would have said that if this woman is guilty (I agree that he should use the word 'if') of what Government say, he wholeheartedly condemns her. Instead of that, he practically asks Government, to remember that she had done this after Government had arrested him. That is what he means, which to me was a surprise, a pain and a great disappointment.

Now, Sir, I have one minute left. I would appeal to Mr. Gandhi to make an unequivocal statement, even now, that he is against violence, that he repudiates what has taken place, and that he condemns it

Dr. P. N. Banerjee: He has said that clearly.

Sir Cowasjee Jehangir: that he condemns an act of violence for whatever reason it has been committed, whether instigated by Government or himself. If he makes an unequivocal statement to that effect and promises to do so when he comes out of jail as a free man, Mr. Gandhi ought to be released, and I would appeal to Mr. Gandhi—if anybody will convey that message to him—to go a step further, much further than he has done and
6 P.M. reiterate his faith in non-violence regardless of consequences to his Party.

Mr. President (The Honourable Sir Abdur Rahim): The Assembly is adjourned till eleven O'clock tomorrow.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 16th February, 1943.

LEGISLATIVE ASSEMBLY

Tuesday, 16th February, 1943

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

DESIRABILITY OF RAISING THE STANDARD OF LABOUR WAGES.

86. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Labour Member please state what is the standard by which the wages of labourers are determined?

(b) In view of the fall in the purchasing power of a rupee from sixteen to six annas, have the Government of India taken any action to enforce proportionate rise in the daily wages of labourers? If not, why not?

The Honourable Dr. B. R. Ambedkar: (a) The question of wages is generally a matter of contract between the employer and labour.

(b) The rise in the cost of living, which amounts to a fall in purchasing power, has not been uniform throughout India.

The Government of India has not taken action to enforce increase in wages or to grant any specific dearness allowance for the following reasons:

- (1) Government has not as yet accepted the policy of fixing a minimum wage by law. That is a matter which needs to be considered before any compulsion is enforced.
- (2) There are no index numbers throughout India which can be relied upon to measure the actual cost of living and consequently no specific dearness allowance can be prescribed.
- (3) The rise in the cost of living not being uniform, it is not possible to lay down from the Centre a policy which could be applicable to all Provinces having regard to the diversity of circumstances obtaining in them.

The appointment of Labour Commissioners and the provision made for adjudication under the Defence of India Rules in the case of disputes occurring in war time are steps taken by Government to ensure fair conditions of work for labour.

Mr. N. M. Joshi: May I ask when Government propose to undertake legislation for fixing up the minimum wages?

The Honourable Dr. B. R. Ambedkar: It is not possible to undertake any such legislation during the war period.

Mr. N. M. Joshi: May I ask what is the difficulty created by the war period to undertake legislation of this kind?

The Honourable Dr. B. R. Ambedkar: It is a controversial legislation.

Mr. Hooseinbhoj A. Lalljee: Has any attempt been made to find out the cost of living or the Index number?

The Honourable Dr. B. R. Ambedkar: There is only one province where Index numbers are framed, namely, Bombay.

Mr. N. M. Joshi: May I ask whether Government realises that the Act prohibiting the strikes and lock-outs is a step which necessitates a dispute and whether such a necessity of creating a dispute during the war time is in the interests of war effort?

The Honourable Dr. B. R. Ambedkar: I do not think the premise is correct.

Mr. N. M. Joshi: May I ask which part of the premise is incorrect?

The Honourable Dr. B. R. Ambedkar: The fact that we have on the statute book a legislation does not necessarily involve that it will give rise to disputes as mentioned by the Honourable Member.

Mr. N. M. Joshi: May I ask whether the Government does not realise . . .

Mr. President (The Honourable Sir Abdur Rahim): That is arguing.

Dr. Sir Zia Uddin Ahmad: Will the Government try to find out the price Index of bigger towns having a population of more than 200,000? This information is rather important for us.

The Honourable Dr. B. R. Ambedkar: Unless we have an Act which enables the Government to collect statistics, it is not possible to have Index numbers prepared throughout India.

Mr. N. M. Joshi: May I ask whether the Honourable Member is aware that there is an Act of the Central Legislature which enables the Government to collect statistics?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

DISCONTENTMENT AMONG FACTORY LABOURERS.

87. *Dr. Sir Zia Uddin Ahmad: (a) Is the Honourable Member for Labour aware that there exists great discontentment among the factory labourers on account of the fact that the capitalists who are making abnormal profits do not give an adequate share to their labourers in the form of rise in their wages?

(b) What action has the Honourable Member taken to force the capitalists to give a share of their profits to persons by whose labour the profit is achieved?

(c) Is the Honourable Member aware that the unrest in the factory labour is not due so much to political consciousness as it is due to economic coercion of their employers?

The Honourable Dr. B. R. Ambedkar: (a) Where there is, as now, a tendency for prices to rise and where profits are being made, labour is always likely to claim an increase in emoluments. Government are aware that such claims are being put forward.

(b) A considerable portion of the profits of industry goes to Government in the shape of Excess Profits Tax. Out of the part left to the employers, many employers are distributing bonuses. Government has not found it necessary at present to take any action for the purpose indicated.

(c) The question is not understood.

Dr. Sir Zia Uddin Ahmad: Have the Government found out the names of those factories which are giving the bonus to their employees?

The Honourable Dr. B. R. Ambedkar: Yes, we have. If the Honourable Member wants the information, it can be supplied to him.

Dr. Sir Zia Uddin Ahmad: Are all these factories giving this bonus or only some of them?

The Honourable Dr. B. R. Ambedkar: If my Honourable friend puts down a question, I can give the detailed information on the point.

HOUSEHOLD BUDGET OF A LABOURER.

88. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Labour Member please lay on the table the normal house-hold budget of a labourer for 1943, who earns eight annas a day and who has to support his family which normally consists of six persons?

(b) What is the grain consumption of such a family and what price is to be paid?

(c) What action have the employers of labour taken to feed their labourers?

The Honourable Dr. B. R. Ambedkar: (a) There is no uniform budget for a labourer throughout India. It is regretted also that no family budget figures for 1943 can be supplied for any area. The statistics about family budgets in Bombay in some previous years can be supplied if the Honourable Member so desires.

(b) In the absence of statistics it is not possible to say what the grain consumption of a labourer's family is. Diets and prices vary in different areas.

(c) A number of employers have opened grain shops or canteens and the Government of India are advising the main All-India Employers Associations that they regard such opening as very desirable. The attached statement gives a summary of information so far available with the Government of India.

Statement.

(The information is the latest available but is not up-to-date.)

Madras.—Thirty-one factories have grain shops; 13 of them have been opened by employers and 18 by workers' Co-operative Societies, which are in several cases assisted by employers.

In 50 factories employers have laid in reserves of essential food articles against an emergency; in six factories arrangements have also been made to supply cooked food to workers in an emergency.

In two factories employers are running canteens for workers.

Bengal.—In 146 factories there are grain shops and emergency reserves are also held by them. Besides, emergency grain stocks alone are held by 35 factories. Arrangements for supply of cooked food during an emergency exist in 73 factories.

Bombay/Punjab.—Detailed information is not available. But many employers have opened grain shops and have made arrangements as far as possible to hold emergency stocks of grains.

Bihar.—Seven employers, including the leading employers, have opened grain shops for their workers and are maintaining as far as possible emergency stocks of foodstuffs. One prominent employer has advanced capital to a co-operative society of workers for running grain shops and has also provided storage accommodation at reduced rent.

United Provinces.—All the large Cawnpore factories have grain shops and emergency reserves are laid in as far as possible.

Central Provinces and Berar.—About 14 grain shops have been opened by employers; one employer is helping a trade union to open such a shop. About seven prominent employers and one co-operative society have made or are making arrangements for storing food grains for an emergency.

Sind.—Seven leading employers in Karachi and Hyderabad (Sind) have opened grain shops.

Employers of all essential services have been required to keep within the work premises emergency stocks of foodstuffs with cooking arrangements and prominent employers have complied.

One leading concern at Karachi has set up a canteen for supplying cooked food and milk to its employees.

Assam.—Employers of industrial labour have made adequate arrangements for supply of foodstuffs by opening grain shops, etc.

Dr. Sir Zia Uddin Ahmad: May I know whether the Labour Department has any hand in the fixation of the prices for the poor people?

The Honourable Dr. B. R. Ambedkar: No.

MEASURES FOR MAKING ESSENTIALS AVAILABLE TO LABOURERS.

89 *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Labour Member be pleased to state what action his department has taken to safeguard the interests of labourers in getting their essentials of life specially food stuffs? If none, why?

(b) What steps, does the Honourable Member propose to take to ensure that the poor people get enough to eat and at prices comparable to their wages? If none, why?

The Honourable Dr. B. R. Ambedkar: (a) and (b). The question has been engaging the attention of Government for some time and is now considered in the Food Department. Instructions have been issued to Provincial Governments to give priority of supplies to essential civil personnel, including industrial labour engaged in essential employments.

MEASURES FOR AMELIORATING THE ECONOMIC CONDITION OF LABOURERS.

90. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Labour Member be pleased to state what steps he has taken to ameliorate the economic condition of labourers?

(b) In what manner does he propose to safeguard the interests of labourers?

(c) Is he prepared to reorganise the unions of labour and to place them in a position to safeguard their own interests?

The Honourable Dr. B. R. Ambedkar: (a) Both in legislative and executive action Government have striven to ensure fair conditions to labour. A copy of Press Note issued when I met the Press is attached for Honourable Member's information. It will give some idea of the ameliorative provisions. If the Honourable Member desires any more detailed information on specific points, it will be supplied.

(b) This is already replied to under (a).

(c) It is not for Government to reorganise labour unions.

Press Note, dated 30th October, 1942.

(Summary of statement made by the Honourable Dr. B. R. Ambedkar.)

LABOUR WELFARE IN WARTIME INDIA.

In view of the appointment of a number of Assistant Labour Welfare Officers who will soon be posted to important industrial areas, we may take stock of what is being done for Labour's betterment in wartime India.

The old concept of a government's job being to govern, to maintain law and order, has given place to a new ideal in which the responsibility of an administration for the material and cultural well-being of the people is recognised. In India Labour is mainly a provincial subject and we at the Centre have heretofore been responsible mainly in securing uniformity in Labour legislation and adherence to such of the International Labour Office Conventions as are practicable for India. Our legislation though comprehensive has been confined more to conditions of service and industrial relations than to such matters as wages and welfare.

In wartime some curtailment of Labour's rights is necessary to ensure continuance of production but in the very process of effecting those necessary curtailments we have been able to give Labour certain big advantages. Thus under the Essential Services Maintenance Ordinance workers must stick to their jobs. Simultaneously this ordinance guarantees men in essential industries fair terms of employment. Provision has had to be made to ensure the best use of the technical personnel, but here too statutory provision ensures their conditions of service being fair. So also while strikes without notice have been made illegal, adequate provision has been made for adjudication and power taken to enforce the results of such adjudication.

While therefore some restrictions have been imposed on Labour, there has been a development of Government's powers to ensure fair conditions of employment, the influence of which is likely to survive.

Another matter in which developments resulting from the war are bound to have a lasting effect are the training schemes of the Labour Department and the novel experiment of sending skilled workers to England for further training. The Bevin Boys whose period in England has given Indian Labour an insight into English working class conditions and organisations, have themselves benefited by the training to such an extent that they now on the average earn two and a half times their former salaries. The scheme for training raw hands in India which will train 70,000 skilled workers by June 1943, must have even greater results as this large increase in the skilled labour force of the country must be of the greatest value to India's post-war industrial revival.

Coming to our new Labour Welfare organisation, the best indication of the spirit which animates the Department is the choice of a Labour Welfare Adviser made by my colleague, the Honourable Sir Firoz Khan Noon. Mr. R. S. Nimbkar has been a labour leader all his life. He has been in and out of prison constantly in the cause of Labour. His work for the Bombay Girmi Kamgar Union, one of India's biggest unions, has shown his capacity as an organiser of workers, while he has served his home town and India as a member of the Bombay Municipal Corporation and as a delegate to the International Labour Conference where he was one of a team led by Sir Firoz Khan Noon. We are fortunate to have him now as a Government worker and you may be sure we will use his services to the utmost. So successful has been his work so far that we have now appointed seven Assistant Labour Welfare Officers to help Mr. Nimbkar. For the past three or four days these new Labour Welfare Officers have been here in Delhi in the Labour Department learning something of the work before them. Shortly they (and an eighth officer, who is expected to join soon) will be sent to various areas where it is hoped they will maintain contacts on behalf of the Central Government with Labour. Their duties will be, on the one hand, to keep the Central Government apprised of Labour conditions and feeling and particularly of

grievances of Labour in different parts of India and, on the other, to explain to the workers the policy of the Central Government in Labour matters. They can also help to secure the co-operation of the workers in bringing A.R.P. arrangements to the highest pitch of efficiency.

The work of these officers will, it is hoped, bring the Central Government into closer touch with such Labour aspects as concern them (Labour is of course largely a provincial subject) and will help in the development of one of the main planks in Government's policy. . . . that is tripartite collaboration between employer, employee and Government. We held our first tripartite conference last August—the Standing Committee of that conference will meet in December and we hope that these meetings will be held frequently in the future and lead to a well developed Labour policy throughout this country.

Dr. Sir Zia Uddin Ahmad: With reference to part (c) of the question, may I ask whether the Government are contemplating to introduce any legislation on this point?

The Honourable Dr. B. R. Ambedkar: Yes, Sir.

SETTLEMENT OF QUESTIONS OF STATUS OF INDIANS IN CEYLON.

91. *Mr. K. C. Neogy: (a) Will the Honourable Member for Indians Overseas be pleased to state whether all questions relating to the status of Indians in Ceylon have been settled? If so, in what manner?

(b) Are the differences confined only to franchise as was recently stated by Sir Baron Jayatilaka?

(c) What is the total number of Indians employed in Ceylon today, and what are the categories of labour or occupation on which they are employed?

(d) Is it the position that all of them can be discharged at 24 hours' notice without compensation or redress of any sort, and that they are debarred from any occupation under that Government and can also be debarred from any other occupation by a decree of the Ministry?

(e) Have the Government of India made any representations to the Government of Ceylon in the matter of the Bus License Ordinance recently enacted by that Government discriminating against Indians? If so, with what effect?

(f) Were 12 Indian boatmen whose services were availed of by the Harbour Department of Ceylon soon after the Japanese raid when no other boatmen were willing to come forward for work, asked to quit after a month because they were non-Ceylonese? Were any efforts made by the Government of India to reinstate them or secure redress otherwise?

The Honourable Mr. M. S. Aney: (a) The answer to the first part is in the negative. The second part does not arise.

(b) I am not aware to what statement by Sir Baron Jayatilaka the Honourable Member is referring. The main subjects upon which disagreement exists are indicated in the opening paragraph of the joint report of the delegations from India and Ceylon published on October 16, 1941.

(c) Exact information is not available as there has been no census in Ceylon after 1931. It is estimated that the number of Indians in Ceylon now is about 780,000 of whom about 670,000 are labourers on tea and rubber estates and their dependents. Indian labourers are also employed in the harbour, on the docks, as domestic servants and as inferior servants in local bodies and Government Departments. Other Indians are engaged in business, as shop assistants and some employed under Government and quasi-Government Departments.

(d) No. The conditions of employment vary. Estate labourers are generally entitled to a month's notice on discharge. Other Indians are governed by the conditions of their employment and only those employed on daily wages can be discharged at 24 hours' notice. The general policy of the Government of Ceylon is not to employ non-Ceylonese unless suitable Ceylonese are not available. The Ceylon Ministers have no power to issue decrees as suggested.

(e) Yes. The Government of Ceylon have replied that the promulgation of the ordinance was immediately necessary in the interests of the rationalisation

of the trade and that no Indian interests are affected as the existing owners of omnibus companies are without exception Ceylonese.

(f) Yes. The Agent of the Government of India in Ceylon made representations in the matter. The Indian boatmen have now, however, secured other suitable employment under private employers.

Mr. K. C. Neogy: With reference to the answer to part (b) of the question, will the Honourable Member please indicate the outstanding issues as regards which there are differences between the Government of India and the Ceylon Government?

The Honourable Mr. M. S. Aney. All the questions have been gone into by the joint delegation and the points of difference are indicated in the opening paragraph of the joint report.

Babu Baijnath Bajoria: Is it a fact that Indians trading in Ceylon suffer under the discriminatory legislation imposed upon them?

The Honourable Mr. M. S. Aney: If any particular instance is brought to my notice I shall see to it.

Babu Baijnath Bajoria: I want to know whether there are such restrictions or not?

The Honourable Mr. M. S. Aney: The question is not for me to answer.

Mr. T. T. Krishnamachari: In view of the rather conflicting reports that appeared in the press with regard to the question of labour in Ceylon, do Government consider it desirable to issue a communique clarifying the position?

The Honourable Mr. M. S. Aney: I will look into the matter.

THE INDIAN LEGISLATURE (PREVENTION OF DISQUALIFICATION) ORDINANCE.

92. *Mr. K. C. Neogy: (a) With reference to the Governor General's Ordinance No. LXII of 1942 (Indian Legislature—Prevention of disqualification—Ordinance), will the Honourable the Law Member please state if it is a fact that the Ordinance was promulgated in pursuance of a proviso added to subsection (1) of section 63-E of the Ninth Schedule to the Government of India Act, 1935, by a Parliamentary Statute enacted in October 1942; and that the said proviso merely permits the Indian Legislature to pass an Act declaring any office in the service of the Crown in India to be an office the holding of which does not disqualify the holder thereof for election as, or continuance as, a member of either Chamber of the Indian Legislature?

(b) Did Government, at any time, consider the desirability of introducing necessary legislative measure in the Central Legislature, in terms of the intention of Parliament, to implement the proviso mentioned above? If so, what were the reasons for an Ordinance being promulgated on this subject?

(c) Which members of the Central Legislature are at present benefited by the operation of this Ordinance, and what are the reasons for giving effect to the Ordinance retrospectively from the 3rd day of September, 1939?

The Honourable Sir Sultan Ahmed: (a) Yes. In enabling the relevant provision to be made by Act of the Indian Legislature, the proviso inserted by subsection (1) of section 3 of the India and Burma (Temporary and Miscellaneous Provisions) Act, 1942, brought the same provision within the scope of the ordinance-making power conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act, 1935, which provides that any ordinance made thereunder shall have the like force of law as an Act passed by the Indian Legislature.

(b) If the Honourable Member intends to suggest that the expression of the proviso in terms of an Act of the Indian Legislature indicates an intention that resort should not be had to the ordinance-making power, I am unable to agree with him. The question whether the matter should be left to be dealt with by

a Bill in the course of the present Session was carefully considered, but the immediate regularisation of the position of certain Honourable Members was felt to be imperative.

(c) I lay on the table a list of the Members whose position was believed to require regularisation. Retrospective effect from the 3rd September, 1939, was necessary because in some cases the acceptance of office, assuming such to be involved, took place shortly after the outbreak of the war.

List of Members whose position was believed to require regularisation.

LEGISLATIVE ASSEMBLY.

Name of Member.	Office or Appointment held.
Sir Frederic James	Coffee Controller and Rubber Adviser.
Mr. P. J. Griffiths	Publicity Adviser to the Government of India.
Major Thakur Singh	Assistant Recruiting Officer.

COUNCIL OF STATE.

Name of Member.	Office or Appointment held.
The Honourable Sardar Buta Singh .	Army in India Reserve of Officers.
The Honourable Mr. Khurshid Ali Khan	Iditt.

Mr. N. M. Joshi: I think the list cannot be very long, may I ask the Honourable Member to read out the same to the House?

The Honourable Sir Sultan Ahmed:

Sir Frederic James, Coffee Controller and Rubber Adviser.

Mr. P. J. Griffiths, Publicity Adviser to the Government of India.

Major Thakur Singh, Assistant Recruiting Officer.

The Honourable Sardar Buta Singh, Army in India Reserve of Officers.

The Honourable Mr. Khurshid Ali Khan, Army in India Reserve of Officers

Dr. P. N. Banerjea: If it was thought necessary to give retrospective effect to some of the cases would it not have been better for the Government to wait till the Legislature had met? No difficulty would have arisen if they had done so.

The Honourable Sir Sultan Ahmed: I have answered that question in my answer to part (b).

Dr. P. N. Banerjea: What was the necessity for taking immediate steps for giving retrospective effect?

The Honourable Sir Sultan Ahmed: I have nothing to add to my answer.

Sardar Sant Singh: May I know was it not considered a disqualification at the time when the Honourable Members of the either House accepted the office under the Crown?

The Honourable Sir Sultan Ahmed: This is the question that we have considered and we came to the conclusion to issue an Ordinance to regularise the position of certain Members.

Maulvi Muhammad Abdu' Ghani: May I know the amount of remuneration, allowances or salary given to each of these members?

The Honourable Sir Sultan Ahmed:

Sir F. James—Nil.

Mr. Griffiths—Nil.

Sardar Buta Singh—Nil.

Major Thakur Singh—Nil.

The Honourable Mr. Khurshid Ali Khan was perhaps given some allowance or pay. I am not sure.

Maulvi Muhammad Abdul Ghani: What is amount of daily allowance or travelling allowance paid to every one of them.

The Honourable Sir Sultan Ahmed: I cannot say that.

SUPPLY OF FOODSTUFFS TO CEYLON.

93. *Mr. K. C. Neogy: (a) Will the Honourable the Food Member please state what is the exact nature of the commitment of the Government of India with regard to the supply of foodstuffs to Ceylon?

(b) How much rice and other foodstuffs have been exported from this country to Ceylon during the last twelve months?

(c) With regard to any supplies already made in the past, or any supplies likely to be made in the future, have Government imposed any conditions to ensure that the foodstuffs supplied to Ceylon would be available to Indian labour on a basis of equitable distribution between various sections of the population?

(d) Have Government studied the rationing scheme in Ceylon? If so, how much rice is being allowed to Indian labourers on the estates and plantations, and how does that compare with the rations for the native population of the Island and other non-Indians?

The Honourable Mr. N. R. Sarker: (a) The Government of India are not committed to the supply of any specific quantity of foodstuffs to Ceylon. They have, however, undertaken to assist Ceylon in respect of her primary grain requirements as far as may be possible having regard to India's own food position from time to time.

(b) Rice—176,596 tons.

Other Foodstuffs—29,275 tons.

(Figures are for the 12 months ending 31st December, 1942.)

(c) No specific condition to this effect has been imposed but there is an understanding that Indian labour will receive the same facilities as the rest of the population of Ceylon.

(d) Yes; in the rationed areas the ration in terms of rice is the same for Indians and non-Indians on the following scale per week:

Infant—1 measure.

Child—1½ measures.

Ordinary (i.e., other than male heavy worker)—adult—2 measures.

Male heavy worker—2½ measures.

A measure is roughly equal to about a seer.

Mr. Lalchand Navalrai: May I know from the Honourable Member at what rate or on what price was rice given to Ceylon—either at prices prevailing here, or at any other price?

The Honourable Mr. N. R. Sarker: At current market prices.

Dr. Sir Zia Uddin Ahmad: May I know if the Government of India made any attempt to clarify the export and import, or in other words to have ascertained the balance of trade with each country.

The Honourable Mr. N. R. Sarker: I am not aware of that.

DIPLOMATIC STATUS OF SIR BARON JAYATILAKA AND OF GOVERNMENT OF INDIA'S AGENT IN CEYLON.

94. *Mr. K. C. Neogy: (a) Will the Honourable Member for Indians Overseas please state what is the exact diplomatic status of Sir Baron Jayatilaka, the Ceylon Government's representative in India?

(b) Is the status of the Government of India's Agent in Ceylon in any way inferior to that enjoyed by Sir Baron Jayatilaka in India?

(c) Have the Government of India made any representations to His Majesty's Government regarding this matter? If so, with what result?

The Honourable Mr. M. S. Aney: (a) and (b). No diplomatic status attaches to either of these posts which depend upon agreement between the two Governments concerned. Sir Baron Jayatilaka has been appointed the special representative of the Government of Ceylon in India to secure and maintain adequate food supplies for his country from India and to promote better understanding

between the two countries on all matters of common interest. He has general authority to discuss any question of mutual concern to the two countries on which either Government may desire discussion and will be the channel of communication between the two Governments on such questions.

The Agent of the Government of India in Ceylon is an officer appointed under section 7 of the Indian Emigration Act to perform the functions assigned to him under the provisions of that Act. These relate to the welfare of emigrants governed by the Act, but he has also kept the Government of India informed on many matters affecting the general welfare of the Indian community resident in Ceylon.

(c) No, but in an answer to an enquiry, the Government of Ceylon have informed the Government of India that they would welcome the appointment of an Indian representative in Ceylon of a status similar to that of Sir Baron Jayatilaka.

MEASURES FOR SOLUTION OF THE FOOD SUPPLY PROBLEM.

95. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable the Food Member be pleased to state if the withdrawal of the control of price of wheat has stopped the black market which was creating great discontent in the country? Has it solved the food supply problem? If not, why not?

(b) Has he under contemplation any other scheme which would be helpful to the solution of this food supply problem?

(c) What organisational scheme for the purchase and distribution of staple food and secondary food has the Honourable Member made to solve this food supply problem to avoid further discontent in the country?

The Honourable Mr. N. R. Sarker: (a) The withdrawal of control of the wholesale price of wheat automatically results in the disappearance of the wholesale black market as such markets can only exist where prices are controlled. It is too early yet to assess the full effect of the withdrawal of the control price but in any case the disappearance of the black market in wheat by itself cannot solve the food supply problem in its entirety as the solution of the problem depends on adequate supplies of grains.

(b) and (c). The Government of India have arranged for the import of substantial supplies of wheat from abroad during the next few months. They have also requested all Provincial Governments to set up organisations for the purchase of the major foodgrains in their Provinces, the surplus Provinces purchasing for exports to other areas on account of the Central Government as well as for their own provincial reserves, the deficit areas buying as much as possible for their own internal needs. In respect of the purchase of surpluses to be transferred to deficit areas the surplus Provinces will act as the procurement agents of the Central Government who will control the distribution of surpluses among the deficit areas. The supplies arranged will be passed on direct to the administrations of the deficit territories concerned who will take suitable measures to control distribution to the consumers so as to ensure that the supplies reach them at prices based on actual cost are not held up by profiteers.

Sir Henry Richardson: Will the Honourable Member say what is the price for the wheat which is being imported now?

The Honourable Mr. N. R. Sarker: I do not yet know. It must be lower than the current price.

Mr. N. M. Joshi: What is the current price of wheat in India?

The Honourable Mr. N. R. Sarker: Rs. 10-5-0 a maund.

Babu Baijnath Bajoria: Have all the Provincial Governments withdrawn the price control of wheat?

The Honourable Mr. N. R. Sarker: Except United Provinces and Sind, all other Provinces have withdrawn the price control.

Dr. P. N. Banerjea: Is it not a fact that the price of wheat has risen in Delhi since the withdrawal of the price control?

The Honourable Mr. N. R. Sarker: It has rather decreased. The price of wheat was Rs. 14 before; now it is Rs. 10.

Dr. P. N. Banerjea: During the period when price control was in force, the price of wheat was 4 seers a rupee, now the price has risen. Is it not so?

The Honourable Mr. N. R. Sarker: Yes, it has risen.

Dr. P. N. Banerjea: What is the cause of that?

The Honourable Mr. N. R. Sarker: When the control was withdrawn some rise was naturally expected.

Mr. K. C. Neogy: Was not the control price a fictitious price?

The Honourable Mr. N. R. Sarker: Yes.

Mr. Lalchand Navalrai: May I know which are surplus Provinces and which are deficit Provinces?

The Honourable Mr. N. R. Sarker: Regarding wheat, the Punjab is the main surplus Province. U. P. and Sind are to a certain extent surplus Provinces. All other Provinces are deficit Provinces.

Maulana Zafar Ali Khan: If the Punjab is a surplus Province, how is it wheat is selling there at three seers and even $2\frac{1}{2}$ seers a rupee?

The Honourable Mr. N. R. Sarker: The price of wheat does not depend upon the surplus stock alone; it depends upon many other factors.

Babu Baijnath Bajoria: How is it that though U. P. is a surplus Province, yet in many cities there, like Benares, Allahabad and other places, there is scarcity of wheat?

The Honourable Mr. N. R. Sarker: It may be due to bad distribution and also hoarding.

Dr. Sir Zia Uddin Ahmad: May I know whether the Government of India are convinced that their policy of price control without controlling the stock is responsible for all the difficulties that have arisen, especially in view of the fact that wheat has gone into the black market and it was not readily available for sale and that when price control was withdrawn, people are selling wheat?

The Honourable Mr. N. R. Sarker: That is a matter of opinion and argument.

Dr. Sir Zia Uddin Ahmad: Are the Government convinced now?

The Honourable Mr. N. R. Sarker: Otherwise we would not have lifted the price control.

THE NEW FOOD DEPARTMENT.

96. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable the Food Member be pleased to state if, since the price control of wheat has been withdrawn, he has decided to abolish the office of the Wheat Controller with all staff and menials or are they to be absorbed in the Food Supply Department?

(b) Are all officers of the Food Supply Department selected out of graduates in agriculture? What new appointments have been made and how many of these employees are graduates in agriculture? Is the Controller General of Food Supply an expert in agriculture?

(c) Is it a fact that a food expert is being imported from England? If so, what are his special qualifications which might be helpful to the solution of food supply problem in India? What will be his salary and overseas allowances? Was not such expert available in India?

The Honourable Mr. N. R. Sarker: (a) The Office of the Wheat Commissioner for India has been absorbed in its entirety in the Department of Food with effect from 1st January, 1943.

(b) The reply to the first and last part of the question is in the negative. Of the 17 new appointments made, 11 are Agricultural graduates.

(c) The services of an expert from the Ministry of Food have been obtained temporarily on loan. The Officer has held various high appointments in the Ministry of Agriculture particularly in connection with wheat matters. Prior to the war, he was Vice-Chairman of the Statutory Wheat Commission. Since the war his services have been lent to the Ministry of Food, where he has been Head of the Cereals Division of that Ministry.

His salary is to be Rs. 3,500 with no overseas pay.

No expert with comparable experience of special war time food arrangements was available in India.

Babu Baijnath Bajoria: Is it a fact that this expert is being brought out from England to help us in getting wheat imported from Australia.

The Honourable Mr. N. R. Sarker: No.

Mr. Jamnadas M. Mehta: Will the Government take steps to bring into existence an Indian who may be qualified some day to fill the top posts like these?

The Honourable Mr. N. R. Sarker: There are many Indians in the Food Department.

Mr. Jamnadas M. Mehta: If there is no Indian qualified to be put at the top, will the Government bring into existence one who will some day be able to occupy this post?

The Honourable Mr. N. R. Sarker: Where shall we find him? I think there is no Indian expert with comparable experience.

Dr. P. N. Banerjee: Is this outside expert acquainted with the conditions in India?

The Honourable Mr. N. R. Sarker: He has got a lot of experience about wheat matters, distribution, rationing and things like these. So his services have been taken on loan. As regards experience of Indian conditions, he will be able to pick it up in a day.

Sardar Sant Singh: What is the expert knowledge that he possesses? Distribution of food requires very close acquaintance with the conditions prevailing in the markets in India?

The Honourable Mr. N. R. Sarker: I am convinced that this officer whom we are getting from England has all the necessary experience to be able to meet Indian requirements. He is not taken permanently. He is taken only on loan for a few months.

†97*.

PRODUCTION AND EXPORT OF TEXTILE GOODS.

98. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Commerce Member be pleased to state:

(a) the total production in yards of textile goods by mills in India, since the 1st September, 1939 till the 31st December, 1942.

(b) the total quantity of such goods exported to other countries during the period 1st September, 1939 to 31st December, 1942; and

(c) the names of the countries to which such goods were exported since the 1st September, 1939 till the 31st December, 1942?

The Honourable Mr. N. R. Sarker: (a) Total production for the period 1st September, 1939 to 30th November, 1942 was 13,597 million yards. Figures for December 1942 are not yet available.

(b) Total quantity exported during the period 1st September, 1939 to 30th November, 1942 was 1,925 million yards. Figures for December 1942 are not available.

(c) A statement showing the countries to which such goods were exported and the quantities of such exports is placed on the table.

Statement showing the Names of the Countries to which Textile Goods were exported during the period 1st September, 1939 to 30th November, 1942.

Names.	Quantity exported. (Yds.)
1. United Kingdom	34,176,553
2. Palestine	77,659,559
3. Cyprus	4,042,418
4. Iraq	99,907,734
5. Adon and Dependencies	55,097,348
6. Arabia	50,026,366
7. Bahrein Islands	12,352,366
8. Iran	63,782,447
9. Ceylon	109,310,615
10. Burma	264,416,987
11. Straits Settlements	102,937,707
12. Federated Malay States	19,227,835
13. Egypt	91,919,564
14. Nigeria	112,244,299
15. Union of South Africa	74,941,152
16. Italian East Africa	24,030,489
17. Anglo-Egyptian Sudan	51,304,060
18. Rhodesia	21,181,057
19. Mauritius and Dependencies	18,506,500
20. Portuguese East Africa	14,828,856
21. Tanganyika Territory	78,796,377
22. Kenya Colony and Zanzibar and Pemba	158,121,376
23. United States of America	3,379,926
24. British West India Islands	19,399,869
25. Australia	186,954,521
26. Other Countries	176,883,065
Total	1,925,429,046

EXPORT OF SUGAR, WHEAT AND RICE AND THE PRODUCTION OF PETROL FROM MOLASSES.

99. *Maulvi Muhammad Abdul Ghan: Will the Honourable the Food Member be pleased to state:

- the total quantity of sugar, wheat and rice exported to other countries since war broke out;
- the names of the countries together with the quantities exported; and
- the total production in tons of petrol prepared in India from molasses during the period 1st September, 1939 to the 31st December, 1942.

The Honourable Mr. N. R. Sarker: (a) 443,439 tons of wheat and 965,555 tons of rice were exported from India since the outbreak of the war up to the end of the year 1942. 65,780 tons of sugar were similarly exported up to the end of November 1942. Figures of December for sugar are not yet available.

(b) Wheat and wheat flour:—United Kingdom, Burma, Persia, Aden and Dependencies, Ceylon, Straits Settlements, Arabia and others.

Rice.—Ceylon, Arabia, Mauritius, Aden and Dependencies, Union of South Africa and others.

Sugar:—United Kingdom, Burma, Ceylon and others. It is not in the public interest to give information of the quantities despatched to each destination.

(c) The information, which is not readily available, is being collected and will be furnished when ready.

Mr. Lalchand Navalrai: May I know why were these exports made when foodstuffs were required in India?

The Honourable Mr. N. R. Sarker: These exports were made before the food situation in India became serious.

COMMUNAL COMPOSITION OF THE ENGINEERING SERVICE IN THE CENTRAL PUBLIC WORKS DEPARTMENT.

100. *Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Labour please state:

- (a) the number of officers of the Engineering service selected and appointed in the Central Public Works Department from the Public Works Department of every province during the last 3 years with their nationalities and creed;
- (b) the criterion, if any, for such selection and appointments;
- (c) whether the Home Department Resolution of 1934 regarding communal composition of services applies to such appointments;
- (d) if the reply to part (c) be in the negative, the reason and the order of the Government, if any, on the subject; and
- (e) the total strength of officers in the Engineering service of the Central Public Works Department and the number of Muslim and Sikh officers of such services?

The Honourable Dr. B. R. Ambedkar: (a) The collection of this information to cover officers of every grade would involve an amount of time and labour which would not, in the opinion of Government, be justifiable in war time. The number of gazetted officers is, however, 83. Their nationalities are: five Europeans rest Indians. Creeds: Hindus 61, Muslims 10, Sikhs 2, others 10.

(b) In the case of three appointments, which have been made on a permanent basis, the selection of the officers was made in consultation with the Federal Public Service Commission and with due regard to the requirements of the Home Department Resolution of 1934 regarding communal representation in the public services. The rest of the appointments are all temporary, the officers concerned having been obtained on loan from Provincial Governments for the execution of certain specific works. In these cases, the officers were selected and placed at the disposal of the Government of India by the Provincial Governments themselves, in accordance with the requirements of the Government of India indicated to them from time to time.

(c) No, so far as the temporary appointments mentioned in the answer to clause (b) are concerned; Yes, so far as the permanent appointments referred to above are concerned.*

(d) The Home Department Resolution of 1934 does not apply to persons who are on deputation for a definite period and are expected to revert to their substantive posts thereafter.

(e) The total strength of gazetted officers is 174, of whom 18 are Muslims and 8 Sikhs. Figures of non-gazetted staff cannot be readily given.

Maulvi Muhammad Abdul Ghani: May I know the number of officers recruited from Bihar Public Works Department in the Central Public Works Department?

The Honourable Dr. B. R. Ambedkar: I require notice of that.

WITHHOLDING OF DELIVERIES OF DIVERTED CARGO SOLD IN MADRAS.

101. *Mr. T. T. Krishnamachari: Will the Honourable the Commerce Member please state:

- (a) whether the attention of the Government of India has been drawn to the fact that in the matter of diverted cargo in several cases in Madras when sale has been made to private parties and payment obtained from them, delivery has been withheld by subsequent instructions from the Government of India; and
- (b) whether the Government of India have any information as to the number of instances so affected in Madras?

The Honourable Mr. N. R. Sarker: (a) If the Honourable Member is referring to the cases in Madras where several consignments of frustrated cargo originally destined for Empire or Dutch territories in the Far East, now under enemy occupation, have been requisitioned and acquired by Government under the Defence of India Rules for disposal through the Anglo-Dutch Committees, then the answer is in the affirmative.

(b) Yes, five instances covering 60 packages are involved.

Mr. T. T. Krishnamachari: May I ask the Honourable Member if anything has been done regarding the instances mentioned under (b)? Has the Honourable Member any information as to whether the money has been refunded to the parties concerned?

The Honourable Mr. N. R. Sarker: I have no information, but a committee which has been appointed for the disposal of this cargo will decide this matter.

Mr. T. T. Krishnamachari: May I ask the Honourable Member why after receiving payments the delivery of goods has been left to the tender mercies of the Anglo-Dutch Committees?

The Honourable Mr. N. R. Sarker: I am not aware that Government have received the money. The Chartered Bank has received the money.

Mr. Lalchand Navalrai: May I know under what law has the delivery of goods been withheld when the sales had been made and money was paid?

The Honourable Mr. N. R. Sarker: Under the Defence of India Rules. The purchasers are not entitled to the goods unless they have a title to them.

Babu Baijnath Bajoria: What will happen to the sale proceeds?

The Honourable Mr. N. R. Sarker: It will be refunded to those who purchased them.

Babu Baijnath Bajoria: In the case of diverted cargo which has been paid for and the delivery of the goods have been taken by the Government, what will happen to the sale proceeds in those cases? Will the sale proceeds be paid to the original consignors?

The Honourable Mr. N. R. Sarker: There seems to be some misapprehension. The goods belong either to the consignee who have paid for them or the consignors who have dispersed the goods. They will get the money.

Mr. T. T. Krishnamachari: May I know whether in view of the fact that this order has been issued by the Government, they will now take steps to ensure that the Anglo-Dutch Committees will take prompt action in the matter?

The Honourable Mr. N. R. Sarker: They have been asked to take quick action.

ASSISTANCE TO INTERNAL COMBUSTION ENGINES INDUSTRY.

[102. ***Mr. Govind V. Deshmukh:** Will the Honourable Member for Commerce please state if Government has carried out the suggestions of the Internal Combustion Committee that it should give liberal assistance to concerns concerned to overcome the difficulties of plant extension and establishment of new plants to make those parts which are at present imported? If not, why not?

The Honourable Mr. N. R. Sarker: The Internal Combustion Committee referred to was of an exploratory nature and the Council of Scientific and Industrial Research have now set up an Advisory Committee on Internal Combustion Engines to find ways and means of giving effect to the findings of the Exploratory Committee. The Exploratory Committee's recommendation being of a tentative nature, Government are not in a position to consider the question of giving assistance to the manufacturers concerned until the new Committee have gone into the details and made their report. The second part of the question therefore does not arise.

†Answer to this question laid on the table, the questioner being absent.

PLAN FOR PROVIDING AGAINST MASS UNEMPLOYMENT OF INDIAN LABOUR.

†103. ***Mr. Govind V. Deshmukh:** Will the Honourable Member for Labour please state if he has planned any scheme to provide against mass unemployment of Indian labour so that it may enjoy freedom from want of necessities of life? If so, what?

The Honourable Dr. B. R. Ambedkar: No formal scheme to provide against mass unemployment has been planned.

In War time the scope for employment has increased enormously. As regards post-war conditions, the Reconstruction Committee appointed in the Commerce Department will devote attention to them.

MONOPOLY OF EXPORT OF MICA TO THE JOINT MICA MISSION AND METAL RESERVE COMPANY OF THE UNITED STATES OF AMERICA.

104. ***Babu Baijnath Bajoria:** (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that export of Mica is allowed only when effected by the Joint Mica Mission and Metal Reserve Company of the United States of America and none else is allowed to export Mica to any country outside India?

(b) If the answer to part (a) be in the affirmative, for what reasons and on what conditions has such a monopoly of export of Mica been granted to the above mentioned foreign interest?

(c) Is the Honourable Member aware that such restrictions of export have resulted in these concerns securing Mica in India at much lower rates and making enormous profits for themselves by selling at much higher rates in America and other allied countries?

(d) Are these concerns Government concerns or private companies?

The Honourable Dr. B. R. Ambedkar: (a) No.

(b) Does not arise.

(c) The prices at which the Joint Mica Mission secures mica have been fixed with the prior approval of the Government of India. The prices are in the opinion of the Government of India fair and reasonable. The prices offered by the Mission are almost invariably higher than or equal to the standard prices ruling before the Mission began to operate. Furthermore the Mission is prepared to buy all mica of merchantable quality which is offered to it. This covers practically the whole range of useful mica and may include mica which would previously not have found a market at all. The Metals Reserve Company is not now buying mica in India. It bought certain quantities of mica in 1940-42 under contracts with the Government of India and the large increase in production in Indian mica in 1941 was largely the result of these purchases. The prices which it paid were fair and reasonable. Neither the Joint Mica Mission nor the Metals Reserve Company are profit-making concerns.

(d) The Joint Mica Mission is a Government concern. It consists of three British and three American members appointed by the Governments of Great Britain and of the United States of America. One of the British members is Chairman. The Mission buys mica for the Ministry of Supply in the case of the United Kingdom and for the Metals Reserve Company of the United States of America in the case of the United States of America. The Metals Reserve Company is a Corporation created by the Reconstruction Finance Corporation of the United States of America under section 5(d) of the Reconstruction Finance Corporation Act and is a duly organised agency of the Government of the United States of America.

Babu Baijnath Bajoria: With regard to para. (a) of the question, the Honourable Member has said "No". Does it mean that other supplying firms are allowed to export mica from India?

The Honourable Dr. B. R. Ambedkar: My Honourable friend will find answer to that in the next question.

Babu Baijnath Bajoria: But you have already said 'No' to part (a) of my question.

The Honourable Dr. B. R. Ambedkar: Yes.

Babu Baijnath Bajoria: That means that other firms will be allowed to export mica from India.

The Honourable Dr. B. R. Ambedkar: There is no prohibition; there are certain conditions prescribed.

Babu Baijnath Bajoria: As regards (c), is the Honourable Member aware that the Joint Mica Mission have raised the standard of quality and reduced the rate thereby?

The Honourable Dr. B. R. Ambedkar: No. The answer to that also will be found in the next question.

**MONOPOLY OF EXPORT OF MICA TO THE JOINT MICA MISSION AND METAL RESERVE:
COMPANY OF THE UNITED STATES OF AMERICA.**

105. *Babu Baijnath Bajoria: (a) Will the Honourable the Labour Member please state if it is a fact that when the Joint Mica Mission assumed control of export of Mica from this country, they gave an undertaking to the Government of India that they would purchase the entire production of Indian Mica?

(b) If the answer to the part (a) be in the affirmative, what steps are Government taking for the implementing of this undertaking?

(c) Is the Honourable Member aware that the Joint Mica Mission is purchasing only scheduled qualities of Mica and refuses to purchase other qualities, e.g., lower grade splittings and Block Mica, and many a time refuses to purchase even certain scheduled qualities, which has resulted in large stocks of these qualities remaining unsold in the hands of Indian merchants?

(d) What steps are Government taking so that the industry may be able to dispose of its stocks of qualities not purchased by the Joint Mica Mission?

(e) Are Government prepared to permit the export of Mica by private firms to the United States of America and other Allied countries? If not, why not?

(f) Are Government aware that since the Joint Mica Mission is controlling the purchase and export of Mica, the production of loose Mica splittings has considerably decreased and several thousands of workers have been thrown out of employment due to the closing of numerous factories and home splitting centres?

The Honourable Dr. B. R. Ambedkar: (a) The Joint Mica Mission has not assumed control of export of mica from this country. It has, however, undertaken to purchase all mica offered to it which is of merchantable quality and which is trimmed and graded to the usual recognised trade standards.

(b) Government have no reason to suppose that the Mission is not implementing the undertaking.

(c) The Mission is only purchasing scheduled qualities of mica; no other qualities are merchantable among the United Nations. Such qualities can however be exported to neutral countries provided they do not conflict with any general orders issued by Government. The Mission never refuses to purchase scheduled qualities of mica provided they are up to the Mission's standards. The Government of India are not aware that there are any large stocks of scheduled qualities of mica remaining unsold.

(d) Qualities of mica not purchased by the Joint Mica Mission are not merchantable in the United Nations. Government are accordingly not taking steps to assist the industry to dispose of such stocks. In the unlikely event of such stocks being merchantable in neutral countries, Government have no objection to the issue of licences for the export of such stocks provided they do not conflict with any general orders issued by Government.

(e) Export of mica by private firms is not prohibited. The United Nations will however not import mica by private firms but will only import mica purchased by the Joint Mica Mission. The United Nations require all merchantable mica which the mica industry in India can produce. The sale of mica to the United Nations has been canalised through the Joint Mica Mission because the United Nations including the Government of India consider that a single purchasing agency buying on the spot provides the quickest and easiest means of providing mica in the very large quantities now required by the United Nations.

(f) The United Nations already have considerable stocks of mica splittings and their principal requirements are now of block mica. Nevertheless the Mission continues to buy all mica which comes split from the mines. They will not however buy mica which is split from old dumps and such mica is no longer merchantable among the United Nations. Such mica can however be sold in neutral countries provided such sale does not conflict with any general orders issued by Government. Government are not aware that any factories have been closed, although possibly a number of home splitting centres may have been closed.

Babu Baijnath Bajoria: As regards part (a), again I repeat the question that there is a demand for Mica of other varieties in America and that is not being allowed to be exported.

The Honourable Dr. B. R. Ambedkar: I am not aware of that.

Babu Baijnath Bajoria: Will you make inquiries? If there is a demand in the U. S. A. of the qualities which this Mission does not buy then private firms should be allowed to export those qualities to America.

The Honourable Dr. B. R. Ambedkar: I will make inquiries.

FIXATION OF PRICES OF GRADES OF MICA BY THE JOINT MICA MISSION.

106. *Babu Baijnath Bajoria: (a) Is the Honourable the Labour Member aware that the Joint Mica Mission fixes the prices of the various grades of Mica without any consultation with the representatives of the industry?

(b) Is the Honourable Member aware that the Joint Mica Mission raised the standards considerably, compared to those of the Metal Reserve Company who bought through the Director, Geological Survey of India?

(c) Are Government aware that the Joint Mica Mission has reduced its purchasing prices by ten per cent. to 30 per cent. from the ruling prices in the market and the factories are compelled to sell their products at their rates for want of any other outlet?

(d) Is it a fact that the Government of India accepted the reduction in prices as mentioned in part (c) above?

(e) Are Government prepared to appoint an advisory committee consisting of representatives of mine-owners and factory-owners to advise the Joint Mica Mission on the question of fixation of prices of different qualities? If not, why not?

The Honourable Dr. B. R. Ambedkar: (a) Before fixing the prices of various grades of mica, the Joint Mica Mission have invariably consulted the mica industry, including representatives of individual firms both in Bihar and Madras.

(b) The Joint Mica Mission has not raised the standards considerably. It has however raised the standards slightly in certain cases although no change has been made in splittings and films. Wherever the standard has been raised the price has been raised in proportion. Taking pre-Mission standard and price as 100, the Mission standard where it has been raised is 105 and the Mission price 110. The range of standards required by the Metals Reserve Company

when buying through the Director of the Geological Survey of India was small compared with the very wide range of scheduled standards being dealt with by the Mission.

(c) The Joint Mica Mission has not reduced its purchasing prices by 10 per cent. to 30 per cent.

(d) Does not arise.

(e) No. The prices offered by the Mission were fixed after consultation with the representatives of the mica industry and with the approval of the Government of India. They are in the opinion of the Government of India fair prices and the Government of India see no justification for the appointment of an Advisory Committee.

Babu Baijnath Bajoria: What objection can the Government have to appoint an advisory committee consisting of representatives of mineowners and factories? That will strengthen their hands and that of the Mica Mission for purchasing the requirements of Mica.

The Honourable Dr. B. R. Ambedkar: The answer as stated in part (e) is that the Mica Mission does fix the price after consultation with the representatives of the Mica industry.

Babu Baijnath Bajoria: I do not think that is correct.

RECRUITMENT OF THE HEAD OF COMMERCE DEPARTMENT, DELHI POLYTECHNIC.

107. *Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Education, Health and Lands please state:

(a) whether his attention has been drawn to the notice published by the Federal Public Service Commission on page 8, Part II, of the Government of India Gazette, for the recruitment of the Head of Commerce Department, Delhi Polytechnic; if so, the reason for fixing the age limit at 40 years;

(b) whether there is any one serving in the Commerce or any Department of the Government of India possessing the requisite qualification and age limit; and

(c) the names, qualifications and age of the Government servants or evacuees from Burma who have applied for the said post?

Mr. J. D. Tyson: (a) Yes. The age limit has been fixed at 40 as the incumbent of the post is required to possess at least seven years' experience in Insurance, Banking, Accountancy or in the teaching of Commercial subjects. A lower age limit particularly in the case of a senior post may rule out candidates with valuable experience. At the same time an experimental institution like the Polytechnic does not want men who are elderly or in any way set in their ideas.

(b) Government have no information.

(c) Government have no information. As the Honourable Member is aware, recruitment to the post is made by the Federal Public Service Commission who communicate to the Government only their final recommendation.

Maulvi Muhammad Abdul Ghani: Will Government make inquiries regarding (c) and lay the answer on the table.

Mr. J. D. Tyson: It would be contrary to our practice to inquire who have applied.

Mr. Lalchand Navalrai: Is the post ear-marked for any of the evacuees?

Mr. J. D. Tyson: No, Sir.

PURCHASE OF WHEAT AT LAHORE ON BEHALF OF GOVERNMENT OF INDIA.

†108. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Food Member please state if it is a fact that Mr. Rau went to Lahore to purchase wheat on behalf of the Government of India?

†Answer to this question laid on the table, the questioner having exhausted his quota.

(b) Will he please state how much wheat he was able to purchase in an open market and at what rate?

The Honourable Mr. N. R. Sarker: (a) The answer is in the negative.

(b) Does not arise.

IRREGULARITIES IN PAYMENT OF WAGES TO RAILWAY STAFF.

109. *Mr. Lalchand Navalrai: (a) Will the Honourable the Labour Member be pleased to state when the Payment of Wages Act, IV of 1936, was made applicable to the Railways in India?

(b) Is it a fact that several irregularities in the payment to staff have been noticed by the Labour Inspectors?

(c) Is it a fact that the Conciliation Officer (Railways) and the Supervisor of Railway Labour, who is the Inspector under the Act, generally tries to report these irregularities to the administrations concerned for relief, if any could be given?

(d) Is it not a fact that in several cases of late payments, etc., no relief can be given to the affected employees when once the provisions of the Payment of Wages Act have been violated? Are prosecutions launched in such cases to act as a deterrent? If not, why not?

(e) Have any prosecutions been launched against the Railway Paymasters or the administration? If so, does the Honourable Member propose to lay a statement of such cases on the table of the House?

The Honourable Dr. B. R. Ambedkar: (a) 28th March 1937.

(b) Yes.

(c) The irregularities detected are brought to the notice of the Railway Administration for rectification.

(d) Relief can be given under section 15(3) of the Act. But no prosecutions are launched as it has always been possible to remove defects so far discovered by administrative action.

(e) No prosecutions have been launched.

Mr. Lalchand Navalrai: Why are the payments made late?

The Honourable Dr. B. R. Ambedkar: In a huge administration such delays are bound to occur.

Mr. Lalchand Navalrai: What does the administration do in the case of late payments?

The Honourable Dr. B. R. Ambedkar: They make the payments.

Mr. Lalchand Navalrai: Only make the payments, or do they do anything further?

The Honourable Dr. B. R. Ambedkar: What does the Honourable Member expect the administration to do?

Mr. Lalchand Navalrai: To avoid these occurrences, what does the Government do?

The Honourable Dr. B. R. Ambedkar: I have no doubt that they must be trying to avoid these delays.

Mr. Lalchand Navalrai: But what do they do?

The Honourable Dr. B. R. Ambedkar: I do not know. If the Honourable Member wants an answer, he may put down a specific question.

Mr. Lalchand Navalrai: Will the Honourable Member direct the administration to see that such things do not recur and that warnings be issued?

The Honourable Dr. B. R. Ambedkar: Yes, certainly.

APPOINTMENT OF SIR BARON JAYATILAKA AS CEYLON'S REPRESENTATIVE WITH THE GOVERNMENT OF INDIA.

110. *Mr. T. T. Krishnamachari: Will the Honourable Member for Indians Overseas please state :

- (a) the purpose of the appointment of Sir Baron Jayatilaka by the Government of Ceylon as their Representative with the Government of India;
- (b) whether Sir Baron Jayatilaka is conducting or expected to conduct negotiations for an Indo-Ceylon Agreement; and
- (c) whether he will have direct access to all Members of the Government of India, or will have to go through the Honourable Member in his efforts to secure supplies of rice, etc., to Ceylon?

The Honourable Mr. M. S. Aney: (a) and (b). The Honourable Member's attention is invited to para. 1 of the reply given to parts (a) and (b) of Mr. K. C. Neogy's question No. 94 earlier in the day.

(c) Sir Baron Jayatilaka will have direct access to all the Members of the Government of India.

MOTIONS FOR ADJOURNMENT.

MALTREATMENT TO SIKH MILITARY PRISONERS IN INDORE JAIL.

Mr. President (The Honourable Sir Abdur Rahim): The first adjournment motion is in the name of Sardar Sant Singh which is for the purpose of discussing a definite matter of urgent public importance, namely, the inhuman treatment meted out to the Sikh military prisoners now confined in the Central India Agency Jail at Indore resulting in 120 of them resorting to hunger-strike since 15th January, 1948, and the disrespect shown to holy Granth Sahib by the Superintendent of the Jail.

Sardar Sant Singh (West Punjab: Sikh): I do not propose to move it.

INABILITY OF A MEMBER OF THE LEGISLATIVE ASSEMBLY TO ATTEND ITS SESSION DUE TO DETENTION IN JAIL.

Mr. President (The Honourable Sir Abdur Rahim): The next adjournment motion is in the name of Dr. Banerjea, regarding the inability of one Member of this House to attend the Assembly because he has been detained in jail. Is that go?

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): By whom was the order passed?

Dr. P. N. Banerjea: Well, that I do not know exactly, but I have had correspondence with the Honourable the Home Member, and he informed me that he was being detained under the orders of the Government of Bihar.

Mr. President (The Honourable Sir Abdur Rahim): Well, that is not the concern of the House here.

Dr. P. N. Banerjea: Sir, may I submit that the power which is exercised by the Provincial Government is delegated power.

Mr. President (The Honourable Sir Abdur Rahim): I have considered that several times in this Assembly and I have ruled that when an order is passed under the Defence of India Rules by a Provincial Government, it cannot be the subject of an adjournment motion here. The motion is out of order.

MALTREATMENT TO MR. C. B. JOHRI IN JAIL.

Mr. President (The Honourable Sir Abdur Rahim): The next adjournment motion is in the name of Qazi Muhammad Ahmad Kazmi regarding the callous

and inhuman treatment meted out to Mr. Chandrabhal Johri, a member of this House, even during his illness in prison, which resulted in his sad demise at Lucknow on 10th February, 1948.

He is not here, so the motion is ruled out.

FAILURE TO TERMINATE MARTIAL LAW AND RESTORE NORMAL CONDITIONS IN SIND.

Mr. President (The Honourable Sir Abdur Rahim): The next adjournment motion is in the name of Seth Yusuf Abdoolo Haroon regarding the failure of Government to restore normal conditions in Sind inspite of the unprecedented continuance of Martial Law for more than eight months.

I find that he gave notice of this on the 15th February. The rule is that notice must be given of an adjournment motion on the very first available date. It, therefore, ceases to be of public urgency. I rule that the motion is out of order.

RESTRICTIONS ON THE *Hindustan Times* re PUBLICATION OF NEWS ABOUT MAHATMA GANDHI'S FAST.

Mr. President (The Honourable Sir Abdur Rahim): The next adjournment motion is in the name of Sardar Sant Singh. He wishes to discuss a definite matter of urgent public importance, namely, the restrictions placed on the publication of the news about Mahatma Gandhi without pre-censorship on the *Hindustan Times*, New Delhi, by the Chief Commissioner, Delhi.

Is the order passed only on the *Hindustan Times* or on other newspapers as well?

Sardar Sant Singh (West Punjab. Sikh): I think it is only on the *Hindustan Times*. Its issue of February 13th refers to further restrictions on the *Hindustan Times*. This order does not refer to any other newspaper.

Mr. President (The Honourable Sir Abdur Rahim): I have seen the order. Is there any objection?

The Honourable Sir Reginald Maxwell (Home Member): No, Sir. If the House wish to debate it I have no objection from the Government side. But it hardly seems to be a matter of general importance. That is all I can submit.

Mr. President (The Honourable Sir Abdur Rahim): It is of some importance. One newspaper seems to have been singled out for this order.

The Honourable Sir Reginald Maxwell: I think it was passed in Delhi against another paper, the *Hindustan*.

Mr. President (The Honourable Sir Abdur Rahim): Is that so?

Sardar Sant Singh: I do not know of any other paper. This particular order refers to the *Hindustan Times*....The order reads:

"The Chief Commissioner of Delhi, has served the following fresh order on the *Hindustan Times* today:

In exercise of the powers conferred by sub-rule (1) of rule 41 of the Defence of India Rules the Chief Commissioner of Delhi, being satisfied that this measure is necessary for the purpose of securing the public safety, the maintenance of public order and the efficient prosecution of war, is pleased to make this order and to address the same to the publisher and the editor of the *Hindustan Times* newspaper— . . ."

Mr. President (The Honourable Sir Abdur Rahim): I have seen the order. What I wanted to know is this: this being an order as regards what a newspaper may or may not publish under the Defence of India Rules, it is very difficult for this House to discuss whether the officer concerned has exercised his discretion properly and I should certainly be very loath to admit any motion

[Mr. President.]

particular matter; but what struck me was why any one particular newspaper should be singled out for this purpose: has the order been issued to other papers?

An Honourable Member: He does not object.

The Honourable Sir Reginald Maxwell: The position is that the editors were summoned by the Chief Commissioner and warned, at the time when this fast commenced, of the restrictions which they would be asked to place on themselves; and this order was passed by the Chief Commissioner against the *Hindustan Times*—and I believe the *Hindustan* also—because they had failed to co-operate with him to the extent that he had asked them: they had actually given cause for the action he took after he had warned them.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Does the Honourable Member know if it is a fact

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Is it true that this paper refused to co-operate with the censor officer before?

Sardar Sant Singh: May I submit that that will be a question on merits? It will be discussed during the course of the motion itself. The very fact that one of the leading newspapers in the province of Delhi has been selected particularly on this occasion when Mahatma Gandhi is undergoing a fast is a matter which requires to be publicly discussed

Mr. President (The Honourable Sir Abdur Rahim): I do not want all that. I wanted to know if the Honourable Member knew anything about it. Perhaps it is a matter which can be discussed. It seems the Honourable Member does not know the reason why this particular newspaper should have been singled out for this order. The motion will be taken up at 4 O'clock. If the business of the House is finished earlier, I take it the House will agree to have this motion taken up then. In that case, of course, the discussion will be limited to two hours as usual.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF INFORMATION AND BROADCASTING.

The Honourable Mr. M. S. Aney (Leader of the House): Sir, I move:

"That this Assembly proceed to elect in such manner as the Honourable the President may direct three non-official members to serve on the Standing Committee to advise on subjects in the Department of Information and Broadcasting."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That this Assembly proceed to elect in such manner as the Honourable the President may direct three non-official members to serve on the Standing Committee to advise on subjects in the Department of Information and Broadcasting."

Sardar Sant Singh (West Punjab: Sikh): Sir, before this motion is put to the House, I just want to make a few observations on this point. The Department of Information and Broadcasting has grown in importance in these days when the censorship prevails all over the country. It is absolutely necessary in that case that effective control or consultation should take place between the Members of the Legislature and this Department; I would, therefore, request the Honourable the Mover of this motion to increase the number from three to at least seven

The Honourable Mr. M. S. Aney: Five.

Sardar Sant Singh: All right. I agree to at least five. I hope he will agree to it.

The Honourable Mr. M. S. Aney: I accept that amendment.

Mr. President (The Honourable Sir Abdur Rahim): Then we will make it five. The question is:

"That this Assembly proceed to elect in such manner as the Honourable the President may direct five non-official members to serve on the Standing Committee to advise on subjects in the Department of Information and Broadcasting."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of members for the Standing Committee for the Department of Information and Broadcasting the Notice Office will be open to receive nominations up to 12 O'clock on Thursday, the 18th February, 1943, and that the election, if necessary, will be held on Monday, the 22nd February, 1943. The election, which will be conducted in accordance with the principle of proportional representation by means of the single transferable vote will be held in the Assistant Secretary's room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M.

THE INDIAN PENAL CODE (AMENDMENT) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill further to amend the Indian Penal Code, and to amend the Currency Ordinance, 1940.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Penal Code, and to amend the Currency Ordinance, 1940."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE CRIMINAL PROCEDURE AMENDMENT BILL.

The Honourable Sir Sultan Ahmed (Law Member): Sir, I move:

"That the Bill to make certain provision for appeals in criminal cases tried by a High Court exercising original criminal jurisdiction be circulated for the purpose of eliciting opinion thereon."

In commending this motion to the House I may point out that as matters stand at present there are prohibitions in the various Letters Patent establishing High Courts in India prohibiting appeals from the orders passed by the High Court in the exercise of its original criminal jurisdiction. This perhaps has been due to the fact that there was no appeal provided for in England against such decisions. In 1907—the Criminal Appeal Act was passed by the Parliament, which allowed appeals on questions of law arising out of a decision given by a High Court judge in the exercise of its original criminal jurisdiction; and it is considered necessary now that a similar provision should be made in this country. This matter was brought to a head by a report which came from the Bombay High Court recommending such an amendment; and we have after consultation with the different High Courts felt that it is high time that such a provision was made. The necessary amendments for completely putting out of action the effect of those Letters Patent have been provided for in the Bill.

I would have been very happy to ask the House to let this Bill go to the

Select Committee and finish with the matter as quickly as possible.

12 Noon. But it has been pointed out that perhaps we may have to make some consequential changes that may be necessary in some other enactments and we do not like to come now and again for amendments. That is the reason why we want circulation, but we are very anxious that this circulation should be as expeditiously finished as possible and I do hope that this measure will find unanimous support of the House.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to make certain provision for appeals in criminal cases tried by a High Court exercising original criminal jurisdiction be circulated for the purpose of eliciting opinion thereon."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, this is an enabling Bill and I am glad to see that an attempt is being made to give power of appeal against the original decisions of the High Court. I would like to draw the attention of the House to the fact that nowadays there have been many cases of contempt of court before the High Courts. In those cases there is no provision for appeals at all and as such

Mr. President (The Honourable Sir Abdur Rahim): This Bill has nothing to do with that.

Mr. Lalchand Navalrai: I want to know as the Honourable the Law Member said that we might make some suggestions whether that provision will also be included in the Bill or not.

The Honourable Sir Sultan Ahmed: No.

Mr. Lalchand Navalrai: I am only asking whether that would be covered by the Bill.

Mr. President (The Honourable Sir Abdur Rahim): I am pointing out that it would be beyond the scope of the Bill.

Mr. Lalchand Navalrai: Clause 2 of the Bill says:

"Without prejudice to the provisions of section 449 any person convicted on a trial held by a High Court. . . ."

Now, the question arises whether the cases of contempt of court would be triable or not because under section 484 of the Criminal Procedure Code

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member does not notice that it is in exercise of the original criminal jurisdiction.

Mr. Lalchand Navalrai: I am submitting that when the High Court has got power either to summarily pass the order of contempt of court or send it for trial to a court, and that would mean a trial. I find that under section 484 of the Criminal Procedure Code it can be done and then it becomes a trial.

Mr. President (The Honourable Sir Abdur Rahim): Then it will come under that and you do not want any separate provision for it.

Mr. Lalchand Navalrai: I am making an inquiry from the Honourable the Law Member to that effect.

Mr. President (The Honourable Sir Abdur Rahim): It is for the Chair to say whether it would be within the scope of the Bill or not. That is why I have been pointing this out to the Honourable Member.

Mr. Lalchand Navalrai: If the Chair gives a ruling on that point that it comes under section 484 and it will have its own appeal, then it is all right. But there will be no appeal even then. Therefore, I am asking that as the Bill is going into circulation, I would submit that the Honourable the Law Member might enlighten me on that point and also in the circulation the same question might be considered. It may be that the question might be considered by the other High Courts with regard to that point and some relief given on the point I have raised.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill to make certain provision for appeals in criminal cases tried by a High Court exercising original criminal jurisdiction be circulated for the purpose of eliciting opinion thereon."

The motion was adopted.

THE MOTOR VEHICLES (AMENDMENT) BILL.

Sir Gurunath Bewoor (Secretary, Posts and Air Department): Sir, I move:

"That the Bill further to amend the Motor Vehicles Act, 1939, be taken into consideration."

The Statement of Objects and Reasons briefly explains why this legislation has been introduced. Under sub-section (3) of section 1 of the Motor Vehicles Act, 1939, Chapter VIII of the Act relating to the compulsory insurance of motor vehicles against third party risk is to come into force on the 1st July, 1943. The introduction of the provisions about compulsory insurance of motor vehicles requires elaborate preparations including the framing of rules and procedure and the drawing up of forms, etc. This preliminary work will throw an additional burden on Governments concerned who are pre-occupied with more urgent problems in connection with the war. Moreover, with the use of private cars drastically curtailed, third party risks have been reduced considerably and actuarial calculations rendered difficult. As regards transport vehicles, it is difficult to forecast the position, but the exigencies of the war have deprived a large number of owners of the use or control of their vehicles. The insurance companies are also likely to find difficulty in arranging for insurance in the present circumstances. Further, in view of the large increase in the cost of operating vehicles in present conditions, it is considered inexpedient to add to the burden by enforcing compulsory insurance. The matter was considered by the Transport Advisory Council, a body consisting of representatives of Provincial Governments, at its last meeting held in September, 1942. The Council recommended that legislation should be undertaken to postpone the operation of Chapter VIII until the 1st July, 1946. The Provincial Governments have ratified the conclusion of the Transport Advisory Council. Therefore, this Bill has been introduced and it proposes an amendment in sub-section (3) of section 1 by substituting for the figures '1943' the figures '1946'. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Motor Vehicles Act, 1939, be taken into consideration."

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, I welcome this Bill. It is a step in the right direction. I would have rather liked that this provision about the compulsory insurance of vehicles against third party risk ought to have been deleted from the Act.

Honourable Members: No, No.

Babu Baijnath Bajoria: Most of the reasons which have been given in the Statement of Objects and Reasons to this Bill will apply even after 1946, but we will see to that later on. In the meantime, I agree to the suggestion made by the Honourable the Mover.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill further to amend the Motor Vehicles Act, 1939, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Sir Gurunath Bewoor: Sir, I move that the Bill be passed.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill be passed."

The motion was adopted.

THE GOVERNMENT SAVINGS BANKS (AMENDMENT) BILL.

Sir Gurnath Bewoor (Secretary, Posts and Air Department): Sir, I move -

"That the Bill further to amend the Government Savings Banks Act, 1873, and the Post Office Cash Certificates Act, 1917, be taken into consideration."

Sir, this is again a simple amendment of the Act and the Statement of Objects and Reasons mentions why it is proposed. Section 4 of the Government Savings Banks Act, provides that if a depositor dies and probate of his will or letters of administration of his estate or a succession certificate granted under the Indian Succession Act, is not, within three months of the death of the depositor, produced to the Secretary of the Government Savings Bank in which the deposit is, then if the deposit does not exceed Rs. 3,000, the Secretary may pay the same to any person appearing before him to be entitled to receive it or to administer the estate of the deceased. According to the definition in section 3, Secretary means in the case of the Post Office Savings Bank the Postmaster General appointed for that area.

Now, Sir, under the Post Office Cash Certificate Act, the limit of three thousand rupees is raised to five thousand rupees. Government consider that there is not much reason for the existence of a difference between the two and the present amendment is intended to raise this limit to five thousand rupees in the case of Savings Banks deposits as in the case of Cash Certificates. Government consider that this would give a very valuable facility to the depositing public. The maximum limit of deposits in the Savings Bank Account is rupees five thousand. Therefore, under the proposed amendment, almost all accounts will be covered. We further propose to increase the facility now as given in sub-clause (b) of section 4, according to which within the limit—originally three thousand rupees and now five thousand rupees—any officer employed in the management of a Government Savings Bank who is empowered in this behalf by a general or special order of the Central Government may, to the extent to which he is empowered by such order and subject to any general or special orders of the Secretary in this behalf, pay the deposits to any person appearing to him to be entitled to receive it if the deposit does not exceed rupees one hundred. At present, Head Postmasters have been authorised to pay upto one hundred rupees. We propose to raise this limit to rupees one thousand in order to accelerate the disposal of claims to deposits and orders will be issued by the Central Government authorising Postmasters to pay upto certain limits after these amendments have been passed. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Government Savings Banks Act, 1873, and the Post Office Cash Certificates Act, 1917, be taken into consideration."

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): This amendment is going to be made in the interest of heirs of the deceased persons, but I find that there is an omission here; this Bill does not entitle the persons nominated by the depositor to receive the amount. There is no system in the case of the post office savings bank as is in the case of the Provident Fund and the Insurance policies. It would have been better

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must speak up, it is difficult to hear him.

Maulvi Muhammad Abdul Ghani: Sir, I am submitting to you that the interest of the deceased depositor would have been better served if the Government had introduced the system of nomination in the case of these deposits. There is no nomination system in the case of deposits made in the Post Office Savings Bank as is done in the case of Provident Fund and the Insurance Fund. There the depositor nominates in the form before making any deposit that after his death so and so will receive the amount standing in the name of the deceased person. Here in the case of Post Office Savings Bank that is not done. I think it would be better for the Government to introduce such system.

that before any deposit in the Post Office Savings Bank the depositor may be required to fill in a form providing for the nomination of his heir whom he desires to receive that amount. It can be done even now if a minor amendment is made in the latter portion of clause 4 sub-clause (b) i.e., "pay the deposit to any person appearing to him to be entitled to receive it or to administer the estate" be changed to read "pay the deposit to any person appearing to him to be nominated by the depositor or to be entitled to receive it or to administer the estate." In other words an addition of one or two words, namely, "nominated by the depositor" would facilitate the matter. I think the Honourable Member in charge of the Bill may consider it and if no harm, the words "nominated by the depositor" may be added in sub-clause (b) of clause 4. I urged this point before the Advisory Committee. But the Advisory Committee for the Post and Air Department sat too late when the Bill was already introduced in the House. So nothing could be done by that Committee. I have no doubt and I hope this is the right time for the Member in charge to accept this and on his own motion ask the Chair to add the words "nominated by the depositor". With these few words I support the motion.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, I know that it will be difficult for the Honourable Member to accept any amendments inasmuch as they have not been tabled before this House. However, Sir, what I find in this Bill is that the time limit of three months which has been fixed is very short inasmuch as those people who have the experience of courts, especially of Probate Courts and the Courts administering the Indian Succession Act cases and even the Civil Courts which generally take up such cases, know that this period of three months is not sufficient. If the courts argue that such cases cannot be disposed of in three months, how can you expect the claimant to produce a certificate before the Secretary of the Government Savings Bank. From my experience of courts I may say that the machinery of law in such cases moves very slow, it takes a lot of time to produce witnesses, they may have to be called from different Provinces and different places and it is, therefore, difficult to expedite the disposal of such cases within three months. I suggest that this period should be increased to six months. It would be in the interest of those people who go to courts to get letters of administration and succession certificates under the Indian Succession Act, etc.

It is said that within three months of the death of a depositor probate of his will or letters of administration should be produced before the Secretary of the Government Savings Bank. Sir, I have nothing to say about Officers of Government. What I submit is that if this sum claimed is placed in the hands of the District Officer where the case arises, it may be deposited to the credit of the District Judge before whom the application for probate or letters of administration will be filed, and he can give the amount to the person who proves his claim before him. This will be more in consonance with the justice of the case, rather than leave it to the Secretary of the Government Savings Bank. Why I say this is this. I say it in the interest of the Officer himself, not in the interest of the party so much. After all the heir will receive the money in any case. It is not so much in the interest of the heir as in the interest of the Officer that I am suggesting this. In these cases, if the Officer gives money to one person and later on it is proved in court that some other person is entitled to the money, it will be very difficult for the heirs to acquire it from that other person. He may spend it away.

I will now say how it is in the interest of the Secretary of the Government Savings Bank. There might be allegations of favouritism or corruption or some other allegations. So, it is no use exonerating the Secretary from his responsibility. Such cases will crop up again and again. I, therefore, draw the attention of the Honourable Member that instead of leaving this matter in the hands

[Mr. Muhammad Azhar Ali.]

of the Secretary of the Government Savings Bank, it will be desirable to place the money at the disposal of the District Judge, who after all is the ultimate authority to declare who is the proper claimant to the money.

Sir Gurunath Bewoor: Sir, as regards the suggestions made by my Honourable friend, Maulvi Muhammad Abdul Ghani, the question as to whether in the Post Office Savings Bank, the system of nomination should be introduced or not has been considered by Government on a number of occasions. It was first considered as long ago as 1921, when after taking the advice of the Solicitor to the Government of India at that time, various legal and administrative difficulties were found to exist. It was therefore abandoned. In 1931, there was a question asked in the Legislative Assembly by Lala Hariraj Swaroop and the Banking Enquiry Committee of 1931 also recommended that the system of nomination should be introduced in the Post Office Savings Bank. The Government considered the matter again but felt great difficulties in adopting the suggestion. In 1934, Bhai Parma Nand and, in 1935, Lala Sham Lal, both asked questions in this House and the question was again examined in consultation with the Solicitors of the Government of India at the time. In 1939, we had a Special Enquiry into the Savings Bank system with a view to adopting various methods to prevent frauds and to expedite the disposal of Savings Bank cases, and a similar suggestion was made by officers holding that inquiry about introducing the nomination system. But we could not accept it as we still found great legal and administrative difficulties. There is the personal law of Hindus and Muslims, according to which, the power to will away property is restricted in many ways. Also, there is likely to be difficulty about identifying the nominee; his signature will have to be taken and kept on record. Further, people will be changing nominees, frequently, especially if they quarrel with their grandsons whom they have made their nominees. We found on enquiry that other Banks, that is to say, Joint Stock Banks which have got Savings Bank accounts are not in the habit of allowing nomination. I do not know about all Banks, but the enquiry we made from the Imperial Bank of India showed that they do not allow this system of nomination. The matter was raised by Maulvi Muhammad Abdul Ghani in the Standing Advisory Committee and I have promised to put up a detailed statement to that Committee, explaining at greater length than I can do in this House at this time, the difficulties which we have experienced. There is one possible solution, namely, the introduction of accounts in joint names, payable to either of the two parties or to the survivor. This may help in the quicker disposal of this class of cases. For the reasons I have just now mentioned, I cannot accept the suggestion made by Maulvi Muhammad Abdul Ghani to have an amendment in this legislation as he has now proposed. But I hope to be able to convince him in the Standing Advisory Committee of our real difficulties. If he can suggest some other methods, we shall be very happy to consider the matter further.

As regards my Honourable friend, Mr. Muhammad Azhar Ali, he speaks of the limit of three months being inadequate. That is perfectly true. But in actual practice, as soon as any heir has filed an application in Court for a probate or letters of administration or succession certificate, and he gives that information to the Postmaster General, then the Postmaster General withholds any payment under the provisions of this Act until a decision has been reached. Once notice is given, it does not matter, if three months period has elapsed, the decision of the court is awaited. Therefore, there is in fact no difficulty. We are very anxious that heirs of depositors should receive payment as quickly as possible and that other so-called pretenders to the claim should not obstruct payment to the rightful heir whom the Postmaster General considers as duly entitled to the amount.

The other suggestion made that the amount should be handed over to the District Judge is exactly what we want to prevent. We want to prevent the

troubles of litigation to the parties. I think we can do it better in the Post Office than by leaving these people to go to courts. For that reason, I cannot accept Mr. Muhammad Azhar Ali's suggestion.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill further to amend the Government Savings Banks Act, 1873, and the Post Office Cash Certificates Act, 1917, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Sir Gurunath Bewoor: Sir, I move that the Bill be passed

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill be passed."

The motion was adopted.

MOTION FOR ADJOURNMENT.

RESTRICTIONS ON THE *Hindustan Times* re PUBLICATION OF NEWS ABOUT MAHATMA GANDHI'S FAST.

Sardar Sant Singh (West Punjab: Sikh): Sir, I move:

"That the Assembly do now adjourn."

Sir, an order—the date of this is not given—was passed by the Honourable the Chief Commissioner of Delhi and served upon the *Hindustan Times* on Friday last. The order says:

"In exercise of the powers conferred by sub-rule (1) of Rule 41 of the Defence of India Rules, the Chief Commissioner of Delhi being satisfied that this measure is necessary for the purpose of securing the public safety, the maintenance of public order and the efficient prosecution of war, is pleased to make this order and to address the same to the publisher and the editor of the *Hindustan Times* newspaper—

- (i) requiring that all news, comments, reports of speeches, statements, pictures, photographs and other matter relating directly or indirectly to the fast on which Mr. M. K. Gandhi has lately entered, other than matter given to the Press by or on behalf of the Government of India or any Provincial Government, shall before being published in the said *Hindustan Times* newspaper be submitted for scrutiny to Lala Savitri Prasada, Assistant Press Adviser, Delhi, or other officer appointed for the purpose;
- (ii) prohibiting the printing or publishing in the said *Hindustan Times* newspaper of any matter of the nature described in clause (i) above unless it has been submitted for scrutiny as required by that clause and has been passed by the appointed authority as suitable for publication;
- (iii) prohibiting the use in the said *Hindustan Times* newspaper, for any headlines, sub-headings or cross-headings relating to any matter of the nature described in clause (1) above, of any type exceeding one-fifth of an inch, in overall height;
- (iv) prohibiting the printing or publishing in the said *Hindustan Times* newspaper of any headlines, in connection with any matter of the nature described in clause (1) above extending over a width greater than that of two columns of the usual width;
- (v) prohibiting the use in the said *Hindustan Times* newspaper of any type or arrangement of type designed to give special prominence to any matter of the nature described in clause (i) above.

Sir, the order is so worded that it is difficult for a Czarist regime to excel it. Practically it amounts to this: that the Chief Commissioner wants this newspaper not to be a newspaper for the public but an agent for the publication of the news given by Government. I hardly think this is the function of the newspaper in any civilized country.

One thing which I want the Government to make quite clear to this House is why this particular newspaper has been singled out for this treatment. Secondly, how do they justify the use of the Defence of India Rules for this purpose relating to the news about the fast of Mahatma Gandhi. If I remember aright, we were given an assurance on the floor of the House at the time when

[Sardar Sant Singh.]

the Defence of India Bill was under consideration that the use of the Defence of India Act will be confined to the purposes relating directly to the war effort. The language of the Defence of India Act may give authority to the Government to go beyond it, but morally they are not justified in extending the scope of the Defence of India Act for the purpose for which they are now using it. As a matter of fact, they are by implication now repealing the provisions of the other penal Statute by the use of this Act. It is known to the House that for some time past the *Hindustan Times* has ceased to publish its editorial probably for a similar order served upon it. But in spite of this resentment and protest which the *Hindustan Times* has shown, the Government has refused to take any step to remove the grievances from which this paper is suffering. There are other papers in Delhi Province—may be very important from their point of view—but the two leading newspapers that we receive and study every day are the *Statesman* and the *Hindustan Times*. People take their news from these two papers. But why discriminatory treatment should be meted out to the *Hindustan Times* is not made clear. From the remarks which fell from the Honourable the Home Member at the time of the admission of this motion it appeared that the complaint of the Government is that this newspaper has refused to co-operate with the Government. May I ask, Sir, what is the meaning of 'co-operation' on which Government insists. The word carries different meanings for different individuals. If the Government by 'co-operation' means co-operation on the terms dictated by the Government at the point of bayonet, no self-respecting newspaper or individual can submit to such a co-operation. The law is there. If it is infringed the law can take its own course for punishing the offender, but to use censorship and the Defence of India Rules for stifling the free expression of opinion on a point in which the public is very much interested in these days is nothing but abuse of powers by those who are using that power. I understand that similar orders were passed by some other Provincial Governments too against some provincial newspapers. I am not concerned with those orders because the Provincial Governments are responsible for them and this House cannot go into that question. But there is no justification why the Government in the Capital town of India should feel so panicky about the publication of news about Mahatma Gandhi. In this particular case of the *Hindustan Times* this order is more objectionable from this point of view as well that the editor of the paper happens to be the son of Mahatma Gandhi. Naturally he feels both from public point of view and from individual point of view about the health of his revered father. Public is anxious to know about the condition of Mahatma Gandhi as it develops during the fast. If the news that is to be published by the press in Delhi is to be confined to the news issued by the Government alone, certainly if later on that news proves to be untrue or minimized, or is only one-sided, the consequences will be too serious.

Mr. President (The Honourable Sir Abdur Rahim): That applies to all censored news:

Sardar Sant Singh: Yes Sir. It does.

Mr. President (The Honourable Sir Abdur Rahim): Why should the Honourable Member go on challenging the law?

Sardar Sant Singh: I do not intend to challenge the law at all. But.....

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better address himself to the motion under discussion and tell the House why he alleges that this particular paper has been singled out for this order.

Sardar Sant Singh: Therefore, Sir, my submission is this: that the press should have so much liberty as to give the news which it feels to be right and just and not

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is really covering a wider field than the motion allows.

Sardar Sant Singh: All right, Sir, I will not touch on this point. About this news of Mahatma Gaudhi, I understand that the news that comes from the Censor's office is not complete. I know that certain press news from Bombay and Poona was censored and certain paragraphs cut off and not published. Therefore, my submission would be that the attempt to restrict the news to that which the Government alone wishes to convey to the press is not justified. Secondly, the singling out of a particular newspaper in the province to publish censored news is discriminatory treatment meted out to a respectable newspaper of Delhi, and there is no justification for that. I will therefore move:

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

“That the Assembly do now adjourn.”

The Honourable Sir Reginald Maxwell (Home Member): Sir, we have been accused of exercising undue discrimination against a particular paper, the *Hindustan Times*. That, however, has a tolerably long history behind it, and I would like to remind the House of what has occurred.

In September last the Chief Commissioner of Delhi passed pre-censorship orders against the whole press in Delhi, in respect of news about the Congress disturbances. The *Hindustan Times* then decided to go out of publication, and it remained out of publication until the end of the year. Then in October a meeting of the All-India Newspapers Editors' Conference took place in Bombay and they passed a resolution enjoining restraint on the publication of news relating to the disturbances, or likely to help in promoting them or prolonging them. In the light of this resolution, which we accepted in the spirit in which it appeared to have been put forward, the Delhi Chief Commissioner withdrew all restrictions on the press in Delhi at the beginning of December, but he did make it clear to them in doing so that he would have no option but to re-impose pre-censorship orders against any paper which, given this opportunity of co-operating, still disregarded the spirit of the resolution passed by the All-India Newspaper Editors' Conference in Bombay. Then the *Hindustan Times* announced its intention of re-publishing itself from the 1st January.

About the middle of December, the Central Provinces Government found it necessary to ban certain forms of publicity about the fast then being conducted by one Professor Bhansali, and the Chief Commissioner informed all editors in Delhi, including the *Hindustan Times* that he proposed to issue no statutory orders on the subject but expected them, in accordance with the spirit of the Bombay resolution of editors, to observe restraint in the matter and to take press advice as regards what they publish about this Professor Bhansali. Well, on the first day of its republication, that is January 1st, the *Hindustan Times* came out with a great deal of objectionable news relating to that particular fast and other matters, showing that it had no intention of observing the spirit of the Bombay resolution; and consequently the Chief Commissioner found it necessary to reimpose the old pre-censorship orders on this particular paper. That was the position when Mr. Gandhi's fast started.

When that happened, the Chief Commissioner arranged for a conference of all editors in the province and communicated to them the advice and the wishes of Government. The House will observe that there was no attempt in the first instance to pass any restrictive orders on them under the Defence of India Rules, but the requirements were clearly put before them and they were asked to avoid unnecessary display, such as would be likely to excite the public and stir up popular resentment or apprehension. At the same time, it was realised that on the first day of the fast, papers would naturally wish to give a certain amount of prominence to it and he was prepared to take a broad view of what was permissible or not for giving publicity on the first day. Well, the

[Sir Reginald Maxwell.]

Hindustan Times, as we all know, came out with a big banner headline and made the most of it, and the Chief Commissioner found it necessary to inform all the editors of Delhi that if undue publicity continued to be given to the news of the fast a pre-censorship order would have to be passed against any offending newspaper without further warning. On the very next day, the 11th February, the *Hindustan Times* came out with more full-page headlines and a great deal of other news about Mr. Gandhi, and it also, in printing the correspondence, omitted the most vital sentence in Mr. Gandhi's letter to the Home Department, and, therefore, created a false impression of what had been said. I am informed that on being asked for their explanation, they said it was unintentional, but for a responsible paper, publishing correspondence of great importance to the public, to make such an inexcusable error does seem to me to indicate a certain degree of irresponsibility in that management. Therefore, when it was clear that the *Hindustan Times* did not intend to observe the spirit of the Bombay resolution, or to follow the advice given to them, it was necessary to pass pre-censorship orders on this paper. The point I wish to make is that the action taken was taken only because this paper refused to co-operate with Government, having been given an opportunity to do so. There was no question of taking the matter in the first instance out of the hands of the editor. He was given every chance and it was only because he failed to avail himself of it that this specific order became necessary.

As regards the justification for using the Defence of India Rules for such an order, I think the position is clear. I made it clear yesterday that Government regard this fast as a form of pressure upon them, and that they do not regard this method of applying pressure as justifiable. If that is their position, they cannot also regard it as justifiable that the press should lend themselves to the purposes of this fast in increasing the pressure to which it gives rise, and therefore it is necessary for Government to take such measures as are open to them to see that the press do not lend themselves to a purpose which they do not regard as justifiable. It must be remembered that the issue between Mr. Gandhi and Government is whether the Congress are going to have their way or not, and Government have, for reasons which they have already made public, utilised the Defence of India Rules in order to fight this open threat and this open rebellion. They cannot allow a situation again to arise in consequence of fresh pressure of this kind, in which fresh life is given or might be given to a movement which has caused such a large amount of disaster and disturbance to this country. They believe that the general public are sick of these mass disturbances and excitements and that the Government will have the support of all reasonable sections of the public in trying to persuade the press, and if necessary to compel the press to exercise such restraint as is necessary. That is all I have to say in opposing the motion.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, this order is of a very vexatious and irritating character, and it is evident that the real object of it is not only to prevent news from being published but also to humiliate this newspaper before the general public. What are the reasons given for this order? It is said that the Chief Commissioner "is satisfied that the measure is necessary for the purpose of securing the public safety, the maintenance of public order and the efficient prosecution of the war". In what way will news regarding Gandhiji's fast affect the public safety, or the maintenance of public order, or the efficient prosecution of the war? This passes our understanding. Gandhiji's fast has perturbed the whole of India and the people are anxious to know what is the present state of his health. If an enterprising newspaper is able to give some news which is not given in the other papers, should that not be published? Should it be regarded as a crime? I think not.

Then, the order goes into great detail about the size of the headlines, the length and breadth and so forth. What is the necessity for all this? Of course, I would be satisfied if this newspaper had been singled out because it gave any false news with regard to the fast, but that is not urged. The Honourable the Home Member does not say that the *Hindustan Times* published any false news about Gandhiji's fast. We do not want the spreading of false news, and we insist that correct news should be given. But there is no necessity for banning the publication of correct news. That will not help the Government in prosecuting the war or in the maintenance of order.

The Honourable the Home Member says that there is a history behind this order: he says that this newspaper was unable to agree with the previous orders of the Government and had stopped publication for some weeks and that republication began on the 1st of January. So it is clear that when this newspaper found that the orders were so irritating that it could not with self-respect publish its paper and that was why it ceased publication. Why should you say that that amounted to non-co-operation?

The Honourable Sir Reginald Maxwell: I did not. I said that the non-co-operation came after it started republishing.

Dr. P. N. Banerjea: I stand corrected. With regard to Bhansali's fast, the Honourable the Home Member says that the *Hindustan Times* came out with objectionable matter. Did this newspaper give any false news? If it gave false news, it could have easily been prosecuted by the Government; but that is not the contention. "Objectionable matter" is a very vague and indefinite term.

Again, the Honourable the Home Member says that this newspaper was likely to give unnecessary display to matters relating to Gandhiji's fast. Is that such an objectionable matter that a particular newspaper should be singled out for punishment? He objects also to headlines and so forth. He further refers to undue publicity. Now, what is due publicity and what is undue publicity? To me it appears, and I believe all persons on this side of the House will agree with me, that undue publicity consists only in publishing false news and due publicity consists in the conveying of correct news. The Honourable the Home Member also urges that there was the omission of a certain sentence from the publication of some document some days ago. But that has been explained; and after the explanation no steps should have been taken against this newspaper.

Sir, restrictions on the press should not be indulged in at pleasure. We have seen in this country that the press has been gagged whenever it has suited the purpose of the Government. But you should look to the interests of the general public. The general public at the present moment is greatly interested in obtaining correct news about Gandhiji's fast, and the banning of such publication will greatly irritate the general public and intensify the discontent that already prevails in this country. In view of that fact, I would ask the Honourable the Home Member to reconsider his views and to give the necessary order for the withdrawing of these restrictive instructions of the press censor.

Nothing will be gained by irritating the public mind at the present moment but a great deal will be gained if you try to secure the goodwill of the public. Gandhiji's life is a great asset to the country. Rightly or wrongly this view is held by the people. You may not hold that view; but you cannot—you should not ignore the views of the general public of India. This is a solemn occasion and on such an occasion you should not take any step which will further embitter the feelings of the country.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): May I ask the Honourable the Home Member whether a similar order has not been issued on another paper called the *Daily Swaraj* and if so for what reason?

The Honourable Sir Reginald Maxwell: Where? In Delhi? I have no information on that. The motion related only to one paper and I have not got information about other papers.

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris: Muhammadan): Sir, my Honourable friend, Sardar Sant Singh, in moving his motion presented it in this light, that the *Hindustan Times* is prevented by this order from being a proper newspaper and is compelled to express the views that are approved by the Government alone. Dr. Banerjea also said that so far as the allegations made by the Honourable the Home Member against this paper are concerned, the *Hindustan Times*, is not guilty of giving any false news. I do not know what my Honourable friends consider to be false news. I should like to know from them whether suppression of truth is an expression of falsehood; because we on this side of the House have a standing grievance against these papers, that they are used to suppression of news. Even this morning, in publishing the A. P. I. report of the proceedings in the other House yesterday with regard to the adjournment motion that was moved in the other House on Gandhiji's fast, I find that this particular paper has suppressed one paragraph out of the A. P. I. Report, but has at the same time mentioned that the report is from the A. P. I. It does not say that this particular paragraph has been omitted. It looks as if the report is complete and full. This particular portion that has been suppressed is my Honourable friend, Mr. Hussain Imam's speech explaining the Muslim League Party's point of view on that question.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot go into all that.

Mr. H. A. Sathar H. Essak Sait: What I suggest is that this paper has been in the habit of not only suppressing the news but applying restrictions on itself and there is no harm if the Government applies certain other restrictions for certain other purposes. I do not, therefore, think that I can support this motion.

Sardar Sant Singh: Sir, we are indebted to the last speaker for giving a lesson to the press not to suppress the views which they receive through the established agencies though it may go directly against the policy of the paper. I have myself been the victim of several Anglo-Indian newspapers which did not publish my speeches which were sent by the A. P. I. and which were made in this House. So, the charge cannot be laid at the door of one newspaper alone. If my Honourable friends of the Muslim League Party are to oppose this motion because the speech of one of their Members was not published in a particular newspaper, they are not taking a broad view of the situation and are not appreciating the principles involved in the motion.

With regard to the Honourable the Home Member's reply, there are two points which he has tried to make out. He says, in the first place, that the Government does not want undue publicity to be given to the fast. The principle underlying this suppression of opinion is a very vicious one. What is undue publicity? The public opinion of the country is surely not an undue publicity. And if the Government refuses to listen to the public opinion of the country, surely it cannot complain on this ground that the public opinion of the country receives an undue publicity from the press. The press will cease to function when it does not translate the public opinion in its columns.

Mr. Muhammad Nauman (Patna and Chota Nagpur cum Orissa: Muhammadan): Which is public opinion? That is the issue.

Sardar Sant Singh: That is a point for decision by every individual Member. You cannot make out a political controversy over every issue.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should address the Chair.

Sardar Sant Singh: You decide it for yourself. . .

Mr. President (The Honourable Sir Abdur Rahim): Order, Order: The Honourable Member must address the Chair.

Sardar Sant Singh: There is political controversy on every issue. The second point which the Honourable the Home Member has made out is this, that the justification for the use of the Defence of India Act on this occasion is on the ground that the fast is a pressure on the Government. May I ask whether the people suffering from subjection have or have not the right to bring pressure upon the administration? If they have, what ways are open to them? The constitutional ways have been denied to the country. The constitutional agitation for the establishment of a National Government at the Centre has not been listened to so far. Well, if other ways are adopted to bring pressure upon the Government, the Government takes exception to them and says, "No, the Government is not open to pressure at all". If it is not open to pressure, then why are you keeping this House here? We are here on the Opposition Benches to bring pressure upon the Government and to try to get their policy modified as they conceive it. The Defence of India Act was not enacted for the purpose of minimising the pressure of public opinion on the Government of India. Surely not. The justification given by the Home Member is no justification at all. The Government of India seems to rely entirely upon the brute force. Let them rely on the brute force but such force will not last for ever.

The issue which the Honourable the Home Member has stated in reply to my motion for adjournment is whether the Congress is going to have its own way or not. That is not the issue. The issue is just the other way about, whether the Bureaucratic Government in India is going to have its own way or not. That is the issue between the public and the Government. Government wants to have its own way and to rule this country in its own way even in this age. We refuse to give the Government the permission to rule this country in its own way and every sort of pressure will be brought upon it to bring it to the righteous ways of administration. I have quoted several times from the English jurisprudence that when the evils of an existing Government become intolerant, even rebellion becomes justifiable. This is the opinion of the British jurists. I am not quoting any other opinion. A similar opinion was held by Sri Guru Gobind Singh when he sent a letter to Aurangzeb. This is what he said:

"Chun Kar Az Haman Helat-i-biguzaasht, Halal ast burdan Shamsheer dast."

When translated into English, it means that when all methods of bringing pressure upon an administration for reform are exhausted, it becomes lawful to take the sword in one's hand. Government ought to be thankful to Mahatma Gandhi for preaching non-violence in the country. For preaching non-violence, Government have not only sent him to jail but are keeping him in detention camp. . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must confine himself to the motion before the House.

Sardar Sant Singh: I am only referring to the issue which is between the Government of India and the public.

Mr. President (The Honourable Sir Abdur Rahim): That is a very large issue.

Sardar Sant Singh: Very well, Sir, I will not go further in this connection, but I will tell the Home Member that though he may be commanding the votes of the House and though he may think that we will not be able to carry this

[Sardar Sant Singh.]

censure motion in this House, the fact remains that even this much freedom is denied to the country that they should have the right to read the correct news. Dr. Banerjee put it very rightly when he said that you can suppress the false news. But why do you suppress the right news. There is no reason for doing that. Therefore, my submission is that the Government is not acting or following a right policy when it persists in its attitude of indifference about Mahatma Gandhi and the news about Mahatma Gandhi when published in the press. Therefore, I will ask the House to support me in this motion.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Assembly do now adjourn."

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 17th February, 1943.

LEGISLATIVE ASSEMBLY

Wednesday, 17th February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Major-General Ernest Wood, C.I.E., M.C., M.L.A., (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

CLASSIFICATION OF SECURITY, POLITICAL AND MARTIAL LAW PRISONERS.

111. *Mr. Lalchand Navalrai: (a) Will the War Secretary be pleased to state what are the rules and orders for placing Security, Political and Martial Law prisoners in different categories?

(b) Are the rules and orders and discretionary powers uniform in all Provinces?

(c) Will Government be pleased to revise the rules and make them more liberal in the case of political prisoners under the Martial Law?

(d) Is it a fact that the Martial Law authorities in Sind do not classify the political prisoners according to their status and mode of living?

(e) If so, do Government propose to instruct them to classify their prisoners in accordance with the classification of other prisoners?

Mr. C. M. Trivedi: (a) to (e). There is no class of prisoners recognised as "political prisoners". Security prisoners are ordinarily divided into two classes according to the state of their health and their education, status and mode of living before arrest. The practice is not uniform in all provinces, though the same general principles are ordinarily observed.

The question of the classification of Martial Law prisoners is a matter for the discretion of the Martial Law Administrator. As regards Martial Law prisoners in Sind, Martial Law Tribunals are authorised to recommend classification for persons sentenced to imprisonment by them. The deciding authority on such recommendations is the Chief Administrator of Martial Law. Even if no recommendation is made by a tribunal, the Chief Administrator is always ready to consider any application for special treatment made by a prisoner. I may add that a few security prisoners detained under Martial Law and a few convicted women prisoners have been placed in "B" class. The Government of India see no reason to interfere with the discretion of the Chief Administrator of Martial Law in this matter.

Mr. Lalchand Navalrai: Does the Honourable Member know that some Advocates of Sind have been sentenced under the Martial Law and they are undergoing imprisonment in Sukker and Larkhana?

Mr. C. M. Trivedi: Sir, I only know one case which was brought to my notice by the Honourable Member himself: I know of no other case.

Mr. Lalchand Navalrai: May I know from the Honourable Member what class is given to him?

Mr. C. M. Trivedi: I think, Sir, he is given "C" class.

Mr. Lalchand Navalrai: Is the recommendation of the Sind Government considered by the Martial Law Authorities in giving classes to prisoners?

Mr. C. M. Trivedi: No, Sir, the Sind Government does not come into the picture at all.

RECRUITMENT OF MILITARY OFFICERS AND SOLDIERS.

112. *Mr. Lalchand Navalrai: Will the War Secretary be pleased to state how many military officers and soldiers have been recruited from each province in India, particularly from Sind, since the end of the last Session of the Central Legislative Assembly?

Mr. C. M. Trivedi: I regret that owing to security reasons I am unable to give the figures required. I may say, however, that the Sind figures both for officers and other ranks are low in comparison with those of other Provinces and that special efforts to increase recruiting from Sind are being made.

Mr. Lalchand Navalrai: Has the former distinction of martial and non-martial race been removed during this war time?

Mr. C. M. Trivedi: Yes, Sir.

Dr. Sir Zia Uddin Ahmad: I rise to a point of order. Am I to ask the first five questions or any five out of those standing in my name?

Mr. President (The Honourable Sir Abdur Rahim): The first five questions because the Government Member may not be ready to answer the others.

COMMITTEES AND CONFERENCES CONVENED BY THE CIVIL DEPARTMENTS OF GOVERNMENT OF INDIA.

113. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Home Member be pleased to lay on the table a list of all committees and conferences convened by the civil departments of the Government of India from the 1st April, 1942 till the 1st February, 1943?

(b) Was the permission of the Finance Department obtained for the expenditure of these committees and conferences? If not, why not?

The Honourable Sir Jeremy Raisman: Sir, as the Honourable the Home Member is indisposed, I have been asked to give the answer on his behalf.

Mr. President (The Honourable Sir Abdur Rahim): Very well.

The Honourable Sir Jeremy Raisman: (a) A statement has been laid on the table of the House.

(b) Yes, in all cases where it was required.

Statement containing List of Committees and Conferences convened by the Civil Departments of the Government of India, from the 1st April, 1942, till the 1st February, 1943.

Kazaks Committee; Area Selectors Committee; Conference of non-officials and officials; Women's Conference; Food Production Conference; Anti-Locust Conference; Quinine Conference; Medical Stores Supply Committee; Transport Advisory Committee; Conference on evacuee problems; Conference of Murserymen; Marketing Officers' Conference; Tea Block Purchase Conference; Tea Control Conference; Second Rubber Control Conference; Third Coffee Control Conference; Indian Cotton Textile Industry Panel; Fifth Price Control Conference; Sixth Price Control Conference; Meeting with the Representatives of Trade and Industry; Reconstruction Committee (Trade International Trade and Agricultural Policies); Advisory Panel on Drugs and Medicines; Food Conference; Meeting of Senior Regional Inspectors of Technical Training and others; Meeting of Chairmen of National Service Labour Tribunals and Publicity Officers; Advisory Committee of the utilisation Branch of Geological Survey of India; Conference to consider fall in output of coal in Bengal and Bihar coalfields; Labour Conference (First Tripartite Conference); Advisory Panel of Accountants; Meetings with Steel Companies; Meeting with sub-committee of the Federation of Woollen Manufacturers in India; Meeting with Federation of Woollen Manufacturers in India; Meeting with Boot Manufacturers; Conferences with the Tanning Industry; Conference with Oil Companies; Meeting with Tyre Manufacturing Companies; Wool Conference; Tentage Conference; Conference of Provincial Representatives; and Security Conferences.

Dr. Sir Zia Uddin Ahmad: Are these expenses provided from the budget already sanctioned for a particular Department or special sanctions are obtained for these Conferences?

The Honourable Sir Jeremy Raisman: When Conferences are foreseen at the time when the budget is framed the expenses are included in that budget; but if any emergent need arises to hold a Conference after the budget is framed then the sanction would naturally be obtained.

Dr. Sir Zia Uddin Ahmed: Will these supplementary grants come before the Legislative Assembly?

The Honourable Sir Jeremy Raisman: Certainly. If the voted grant has been exhausted, it will be necessary to obtain a supplementary grant.

PAPER CURRENCY POSITION.

114. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Finance Member please state what is the value of the currency notes of Rs. 5 and upwards now in circulation?

(b) What is the amount of the paper currency reserve and where is it kept?

(c) What is the value of paper rupees (i) now in circulation, and (ii) in store, but not in circulation?

The Honourable Sir Jeremy Raisman: (a) The attention of the Honourable Member is invited to the weekly accounts of the Issue Department of the Reserve Bank of India which are published in the Gazette of India.

(b) The old paper Currency Reserve ceased to exist on the inauguration of the Reserve Bank of India. A statement of the assets and liabilities of the Issue Department of the Reserve Bank of India is, as stated above, published weekly.

(c) (i) Under the Currency Ordinance, 1940 Government of India notes of the denominational value of one rupee are current in the same manner and to the same extent and as fully as the silver rupee. No distinction is therefore maintained in the accounts of the Reserve Bank of India between silver rupees and one rupee notes.

(ii) It is not in the public interest to publish information in regard to reserve stocks of currency.

Dr. Sir Zia Uddin Ahmad: May I know what is the value of our metallic reserve according to the market value?

The Honourable Sir Jeremy Raisman: I am sorry, I cannot give that information. Honourable Member is aware of the present price of silver and that the value of silver in the rupee at the present moment approximates to the face value.

Dr. Sir Zia Uddin Ahmad: I thought I will get ready reply from the Department which has got the figures before them and which, unfortunately, I have not got.

RELIEF TO GOVERNMENT SERVANTS FOR FALL IN PURCHASE VALUE OF RUPEE.

115. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Finance Member please state what is the purchasing power of a rupee compared with its purchasing capacity in 1938?

(b) In view of the fact that daily labourers have raised their daily wages on account of the fall in the purchase value of a rupee, what action have the Government of India taken to give relief to their servants having fixed incomes?

The Honourable Sir Jeremy Raisman: (a) The rise in prices in India since 1938 has exhibited considerable variation as between different commodities and services, and from place to place. It is not therefore possible to give an adequate statistical picture of the general change in retail prices and consequently of the change in purchasing power of the rupee.

(b) I would draw the attention of the Honourable Member to the various Notifications which have been published from time to time prescribing the rates of dearness allowance for Central Government servants, the last of which was dated the 19th January, 1943.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that the Government of India always prepared a price index of food-stuff taken as a whole both of retail as well as of whole-sale articles? If so, what is that? They also have a price index of all the articles—eatable and non-eatable. Will the Honourable Member please state what is the price index?

The Honourable Sir Jeremy Raisman: No, Sir, I am not aware that a single consolidated index of the kind mentioned by my Honourable friend is regularly published. I know that there are a large number of indices framed of various kind which are published in different centres in relation to different commodities, but I do not think it is possible to give a single index figure which would indicate the current purchasing power of the rupee.

Dr. Sir Zia Uddin Ahmad: Is it a fact that the index figures are published in the *Trade Journal* of India every year? May I know whether the Government have calculated these figures for the last two years? If so, what are those figures?

The Honourable Sir Jeremy Raisman: I am not in a position at the moment to give properly considered figures.

SHORTAGE OF SMALL COINS.

116. ***Dr. Sir Zia Uddin Ahmad:** (a) Will the Honourable the Finance Member lay a statement on the table showing the position in regard to the availability of small coins?

(b) Is he familiar with the sufferings of the poor who deal in pice and annas?

(c) What action, if any, has the Honourable Member taken to remove their difficulties on account of the shortage of these coins?

The Honourable Sir Jeremy Raisman: (a) I regret that the question has been so framed as to leave me in doubt as to the information sought. I may, however, state that the output of small coin has been stepped up from 70 million pieces a month last autumn to 125 million pieces a month and will be further increased from March next.

(b) I am aware of the inconvenience and hardship which has been occasioned by the anti-social activities of hoarders and those who are selling small coin at a premium.

(c) Apart from the increase in output, vigorous efforts have been made to check hoarding and the selling of small coin at a premium by the detection of offenders, making such offences triable summarily, pressing for deterrent sentences and by publicity. The remedy lies to a large extent in the hands of the public who should circulate such coins as may come into their possession and assist the police in the detection of offenders.

Dr. Sir Zia Uddin Ahmad: How many cases have been detected and tried and punished with a view to having a deterrent effect against hoarding?

The Honourable Sir Jeremy Raisman: There have been quite a considerable number of cases, but I could not give precise figures. I require notice.

Dr. Sir Zia Uddin Ahmad: What is the maximum amount of fine imposed or imprisonment awarded?

The Honourable Sir Jeremy Raisman: I seem to remember having seen one in which a sentence of five years rigorous imprisonment was imposed.

Dr. Sir Zia Uddin Ahmad: Will the Honourable Member give us figures for the small coins necessary in India for daily transaction, if these figures are available?

The Honourable Sir Jeremy Raisman: I do not think that can be a matter of precise determination from time to time.

Dr. Sir Zia Uddin Ahmad: Has the Honourable Member got any idea about the present conditions because business people are suffering from want of small coins?

The Honourable Sir Jeremy Raisman: As I explained the other day in the course of the debate, we started off the war with a very large number of small coins in circulation and since then, we have added a very large quantity indeed. But judging from the present situation, the country is still capable of absorbing a further large quantity and all we can do is to go on producing them to our maximum capacity and put them out so long as the demand continues.

Dr. Sir Zia Uddin Ahmad: What is the amount of small coin which in his opinion is required for daily transaction? Has he got any idea?

The Honourable Sir Jeremy Raisman: You cannot give a precise figure at any time nor is it a static figure. It all depends upon the change of economic conditions. As my Honourable friend is aware, the requirements of the demand for currency notes have gone up very greatly and it is reasonable to assume that the same factors also operate to some extent as regards requirements of small coins.

FORGED INDIAN CURRENCY NOTES IMPORTED FROM ENEMY COUNTRIES.

117. ***Dr. Sir Zia Uddin Ahmad:** (a) Will the Honourable the Finance Member please state if it is a fact that forged notes in Indian currency have been poured into the country by enemy countries?

(b) What is the estimated value of those forged notes?

(c) How were they brought in the country?

(d) What action have the Government of India taken to punish the agents who brought those notes and who deliberately circulated them knowing that those notes were forged ones?

(e) How is the financial position affected by the introduction of those notes?

The Honourable Sir Jeremy Raisman: (a) No

(b) to (e). Do not arise.

Dr. Sir Zia Uddin Ahmad: May I know whether it has been brought to the notice of the Government that some forged notes and counterfeit coins were put into circulation in Burma by Japan and that these notes were brought by the evacuees from Burma into India?

The Honourable Sir Jeremy Raisman: I thought the Honourable Member's question related only to forged currency notes. Does he refer to coins or notes?

Dr. Sir Zia Uddin Ahmad: I am referring to currency notes.

The Honourable Sir Jeremy Raisman: As far as we have been able to determine, the answer to his question is in the negative.

Dr. Sir Zia Uddin Ahmad: Does he mean that the attention of the Government was never drawn to any note which has been forged by Japan and introduced in India by the evacuees?

The Honourable Sir Jeremy Raisman: We are constantly coming across forged notes which we follow up, but we have not yet come across forgeries which we consider attributable to a deliberate plan of that kind.

Dr. Sir Zia Uddin Ahmad: What is the value of these forged notes which have come to the notice of the Government?

The Honourable Sir Jeremy Raisman: I could not say that. Forgeries are being detected constantly.

Dr. Sir Zia Uddin Ahmad: Are these forged notes exactly similar, or are they made at different places and at different times? What is the information of the Government?

The Honourable Sir Jeremy Raisman: They are different forgeries. Obviously at times, the notes are being made at different places in the country from time to time.

SHORTAGE OF SMALL COINS.

†118. ***Dr. Sir Zia Uddin Ahmad:** (a) Will the Honourable the Finance Member please state what the total number and the value of small coins required in India for daily transaction is?

(b) What is the number in circulation according to the book value of the currency authorities?

(c) What are the causes of the shortage?

(d) What action have Government taken to meet the shortage?

The Honourable Sir Jeremy Raisman: (a) and (b). The information is not available.

(c) and (d). I would invite the attention of the Honourable Member to the statement I made in this connexion in the course of the debate raised on the adjournment motion of Babu Baijnath Bajoria on the 10th February last.

DESIRABILITY OF MINTING SMALL COINS OF CHEAP METALS.

†119. ***Dr. Sir Zia Uddin Ahmad:** Will the Honourable the Finance Member please state if Government propose to consider the immediate need of minting small coins (half anna, one anna, two annas and four annas) of cheap metals and making the possession of other coins a punishable offence after a certain date?

The Honourable Sir Jeremy Raisman: The black market value of the metallic content of all half-anna, one anna, two anna and four-anna pieces now in circulation is far below their face value and is likely to remain so. No question of a substitute alloy therefore arises.

STERLING ASSETS ACQUIRED BY GOVERNMENT OF INDIA SINCE OUTBREAK OF WAR.

†120. ***Dr. Sir Zia Uddin Ahmad:** Will the Honourable the Finance Member lay on the table a statement showing the sterling assets acquired by the Government of India since the outbreak of the war and how did the Government utilise the sterling credits and the manner in which they propose to utilise the balances?

The Honourable Sir Jeremy Raisman: A statement showing the position at the end of January 1943 is placed on the table. As the Honourable Member is aware Government have already announced their decision to redeem the Railway Debentures also aggregating about £31 million in nominal value. The question of the utilisation of these balances is constantly engaging the attention of Government.

Statement showing the accumulation of Sterling Assets of the Reserve Bank since the outbreak of War to the end of January 1943, and their disposal.

	(Crores)
	Rs.
1. Sterling assets held by Reserve Bank, August 1939	64
2. Sterling purchased by Reserve Bank from September 1939 to the end of January 1943	3.44
3. Sterling payments by His Majesty's Government	5.05
	9.13
4. Sterling amounts involved in repatriation schemes	—3.59
5. Purchase of Railways	—21
6. Other Sterling commitments	—92
7. Sterling holdings of the Reserve Bank at the end of January 1943	—4.41
	—9.13

†Answer to this question laid on the table, the questioner having exhausted his quota.

ABUSE OF POWERS OF SANCTIONING PROSECUTIONS, ETC., BY ASSISTANT INSPECTING COMMISSIONERS OF INCOME-TAX.

121. *Mr. Lalchand Navalrai: (a) Will the Honourable the Finance Member be pleased to state if he is aware of the complaints made through the Press or otherwise that the present authorities, that is, the Assistant Inspecting Commissioners exercise their powers of giving sanction for the prosecution of persons and assesseees arbitrarily in order to recover excessive amounts of income-tax or with a view to deterring them for making appeals?

(b) Is it a fact that very large and prohibitive amounts are recovered from persons who are prosecuted for compromising cases with them?

(c) Is the Honourable Member prepared to lay a list on the table showing how many prosecutions were made in the Sind Division and under what sections of the Act? How many were compromised and for what amounts to be paid together with the amounts of evasions made since the present Assistant Inspecting Commissioner has held the charge?

(d) In view of the taking away of powers of giving sanction by the executive authorities of the Income-Tax Department, do Government propose to transfer these powers to the Appellate Assistant Commissioners and the members of the Tribunal by amending section 53 of the Income-Tax Act? If not, why not?

(e) Is there any standard fixed for the Inspecting Assistant Commissioner to recover amounts in compromising cases commensurate with the amounts evaded? If not, do Government propose to fix a standard in proportion to the tax avoided? If not, why not?

The Honourable Sir Jeremy Raisman: (a) There have been some complaints but not recently.

(b) and (e). No. The amounts are fixed with due regard to the seriousness of the case, the amount of tax evaded and the penalties leviable in respect thereof. A standard cannot be prescribed since the seriousness of the case has also to be taken into account in fixing the amount of the composition fee.

(c) The information has been called for and will be laid on the table of the House in due course.

(d) Government do not propose to transfer these powers to the Appellate Assistant Commissioners or the Tribunal, since the task of sanctioning prosecutions is a purely administrative function and it is undesirable that such powers should be given to bodies of an appellate character. The Honourable Member's attention is invited in this connection to my reply to part (g) of starred question No. 514 asked by Khan Bahadur Shaikh Fazl-i-Haq Piracha in the Legislative Assembly on 27th March, 1941.

Mr. Lalchand Navalrai: May I know if these sanctions for prosecution are reviewed by the Commissioner of Income-tax?

The Honourable Sir Jeremy Raisman: In so far as it is in the nature of an executive act, I expect the Commissioner would be aware of cases in which prosecutions were being sanctioned.

Mr. Lalchand Navalrai: As there are complaints that exorbitant amounts are being taken and that with a particular motive, will be Honourable Member instruct the Commissioner of Income-tax to look into these cases and see that the complaints are removed?

The Honourable Sir Jeremy Raisman: I do not quite understand how the Honourable Member expects me to treat a complaint that the penalty is exorbitant when the individual penalised has made a dishonest attempt to evade his legitimate dues under the Income-Tax Act. I am not prepared to have complaints of that kind investigated, but we do take steps to maintain a kind of standard in these matters and the whole subject is under supervision by the Central Board of Revenue.

Mr. Lalchand Navalrai: May I request the Honourable Member to send a copy of these questions and answers to the Commissioner of Income-tax in Bombay?

The Honourable Sir Jeremy Raisman: I have no objection.

Mr. Lalchand Navalrai: Thank you.

ADVICE AND ASSISTANCE REGARDING ALLOWANCES, ETC., TO DEPENDANTS OF BRITISH AND INDIAN OFFICERS AND OTHER RANKS BECOMING CASUALTIES.

122. *Sir F. E. James: Will the War Secretary be pleased to state:

- (a) if any steps have been taken by his Department to give prompt advice and assistance regarding allowances, allotments, pensions, etc., to the dependents in India of British and Indian Officers and British and Indian other ranks who have become casualties, i.e., taken prisoners or listed as missing or even killed; and
- (b) if he is aware of the great importance of giving this advice and assistance as promptly as possible, and if he is satisfied with the steps that have been taken?

Mr. C. M. Trivedi: (a) Yes, Sir. A Family Assistance Bureau has been set up at General Headquarters where all queries from families of British Officers, Indian Commissioned Officers and British Other Ranks concerning their allotments, allowances, pensions etc., are dealt with and publicity has been given to its existence. In addition, a pamphlet on "Matters of Interest to British Officers and their Families in India" has been published which contains all the necessary information. Moreover, Station Staff Officers have instructions to render all possible assistance to British families in this country.

For Indian Other Ranks, there is a pamphlet entitled "Matters of Interest to Indian Soldiers and their Families" which was first published in 1940 and is now being revised. This pamphlet contains detailed information regarding allotments, allowances, pensions etc. In addition to this personal advice on these subjects is always obtainable through the District Soldiers' Boards and the Civil Liaison Organization both of which have been very considerably expanded.

(b) The answer to both parts is in the affirmative.

Sir F. E. James: May I know if the Honourable Member is aware that the location of the office dealing with the subject is in Simla, which results in considerable delay in the disposal of cases, which delay causes actual distress to dependants? Would he therefore consider the advisability of locating that office in a more central place in India?

Mr. C. M. Trivedi: I will certainly have that examined.

Mr. C. P. Lawson: Would the War Secretary please say whether he is aware that considerable distress has been caused to dependants of prisoners of war by the sudden cutting down of their allowances, and would he take steps, whatever the reason for such cuts, that due warning is given to the dependants of such prisoners so that this distress may be avoided?

Mr. C. M. Trivedi: I will take steps.

REDUCTION IN PAY OF INDIAN ARMY OFFICERS WHEN TAKEN PRISONERS OF WAR.

123. *Sir F. E. James: (a) Will the War Secretary be pleased to state if it is a fact:

- (i) that the pay of officers of the Indian Army is reduced when they are taken prisoners;
- (ii) that the pay of officers of the British Army is not reduced when they are taken prisoners; and
- (iii) that in the case of the officer of the Indian Army who is a prisoner of war he receives as his pay an amount equivalent to what he would have received were he serving out of India but not in the Indian Army?

(b) What is the reason for the above differentiation?

Mr. C. M. Trivedi: (a) (i). Yes.

(ii) Yes, but the British Service Officer when captured loses his allowances such as light, fuel, and ration allowances. Elements representing these allowances are included in the consolidated pay of rank of the Indian Army Officer.

(iii) Yes.

(b) The pay structures of the two services are different, but the orders are designed, by placing the Indian Army Officer in the position stated in (a) (iii) above, to approximate his pay in captivity to that of his British Service colleague.

Sir F. E. James: But is my Honourable friend not aware that the net result is that the pay of officers of the Indian Army is actually less than the pay of officers of the British Army when they are taken prisoners? That is the case. Why is that differentiation? Is not the one equal in value to the other?

Mr. C. M. Trivedi: I have a statement in front of me which shows that the officers of the Indian Army in captivity actually receive more than the British service officers when in captivity, and I think I did supply a copy of that statement to the Honourable Member.

Sir F. E. James: Yes; it certainly was not clear from that statement which my Honourable friend did supply to me as to why the pay of the officers of the Indian Army should be reduced when they are taken prisoners. My Honourable friend must realise that that has its effect upon the dependants and those who have to maintain themselves while the Indian Officer is in captivity.

Mr. C. M. Trivedi: I have already given an answer. I have said that this reduction is designed to approximate the pay of the Indian Army Officer in captivity to his British service colleague.

Sir F. E. James: Will my Honourable friend accept the fact that it does create or has created a large amount of dissatisfaction and will he look into the matter further?

Mr. C. M. Trivedi: I will, Sir.

MEMBERS OF CENTRAL LEGISLATURE APPOINTED ON SALARIES OR ALLOWANCES BY GOVERNMENT.

124. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Home Member please state:

(a) the names of members of the Central Legislature who have been appointed on salaries or allowances under the Government of India since the Amendment of the Ninth Schedule to the Government of India Act, 1935; and

(b) the amount of salaries or allowances paid to each and the date of such engagements?

The Honourable Sir Jeremy Raisman: (a) No member of the Central Legislature has been appointed on salary or allowances under the Government of India since the amendment of the Ninth Schedule to the Government of India Act, 1935.

(b) Does not arise.

RECRUITMENT OF AREA ADVISERS, TECHNICAL ADVISERS, WARNING OFFICERS, ETC.

125. *Seth Yusuf Abdoola Haroon: (a) Will the Honourable Member for Civil Defence be pleased to state how many officers, such as Area Advisers, Technical Advisers, Warning Officers, etc., have been appointed by the Civil Defence

Department since its inception for technical advice, instruction and supervision, in the centre and in the provinces? Who are those officers? What are their qualifications?

(b) What qualifications were prescribed to select candidates most suitable for such responsible posts as Area Advisers, Technical Advisers, etc.?

(c) Do these officers possess (i) actual Blitz experience; (ii) previous experience of the kind of work entrusted to them; and (iii) intimate knowledge of the locality or province to which they are assigned?

(d) If not, do Government consider that these qualifications are not required for these officers to discharge their duties satisfactorily?

(e) Did Government take steps to ascertain whether others, including Indians, with such experience and qualifications were available, if they were not aware of such persons?

(f) Did Government advertise these jobs? If not, why not?

(g) Do Government realise that, in view of the increasing need for non-official co-operation to ensure success to civil defence measures, it is advisable to get Indians with local knowledge and experience to fill these posts?

(h) If Government consider that Blitz experience is necessary as also training in British Air Raid Precaution Schools, are they prepared to consider the question of selecting suitable Indians who have local knowledge, technical experience and study of civil defence, and send them abroad for experience and training?

(i) If Government are not aware of persons in India who possess adequate local knowledge and vast study of civil defence problems, do they propose to take steps to ascertain whether such persons are available?

The Honourable Mr. M. S. Aney: (a) A Statement is laid on the table.

(b), (c), (d), (e) and (f). No qualifications were prescribed. It was a question, as soon as the need for creating a post arose, of getting the most suitable man available at the earliest possible moment, preferably one with previous experience but failing that one of tested character and merit and then of training him as quickly as possible. The Government of India would have been glad, in all cases, to have advertized the posts, as was done in the case of the Air Raid Warning Officers, had the imperative necessity of speed not compelled them to adopt the method of direct selection.

As will be seen from the statement, some of the officers possess actual blitz experience and some had previous knowledge of the work entrusted to them. As regards (c) (iii) none of the Government of India officers deal with one locality or province and so the question does not arise.

(g) In view of the answer to (c) (iii) this does not arise.

(h) In the earlier days of preparation men with previous training and, if possible, with Blitz experience were essential and very great difficulty was found in obtaining enough of them. With the setting up of six Civil Defence Schools in India capable of giving all the training that is necessary and with some experience of actual Air Raids on Indian towns, though none of these have yet approached Blitz intensity, it is not necessary to send men abroad for experience and training.

(i) There are many persons in India now who possess adequate local knowledge and knowledge of Civil Defence problems but they would only be available for employment under the Government of India if the Provincial Government under which they are serving was prepared to release them. We will certainly consult Provincial Governments as to whether they have any such officers they would be prepared to release for duty at the Centre if required.

Statement showing the Names and Designations of the Technical Officers serving under the Civil Defence Department.

Names.	Designations.	Qualifications.
Brig. A. J. Reeve (British)	Director, Operations and Training.	<ol style="list-style-type: none"> 1. Has no 'Blitz' experience. 2. Was responsible for the protection from Air Raids of Air Craft Factories, Shadow factories and all dependent factories in U. K. on behalf of the Air Ministry. 3. Knows the whole of India with the exception of Orissa and has served 21 years in the country in the Indian Army.
Lt. Col. C. J. Toyne (British).	Deputy Director, Operations and Training.	<ol style="list-style-type: none"> 1. Had 'Blitz' experience during the year 1940-41 in London Region. 2. (a) Was A. R. P. Officer Battersea from March 1937 to September 1937. (b) Was Regional Officer of home Office (A. R. P. Deptt.) and Ministry of Home Security, from Sept. 1937 to November 1940. 3. Was an Officer of Indian Army from 1918 to November 1935. Has toured India extensively.
Major R. J. F. Sansome, R. E. (British).	Structural Precautions Officer.	<ol style="list-style-type: none"> 1. Has no 'Blitz' experience. 2. (a) Was entrusted with the work of design and construction of Air Raid Shelters and Accommodation in Southampton prior to leaving for India. (b) Before his transfer to the Civil Defence Department he was entrusted with the work in India of design and construction of buildings for Military purposes including Air Raid shelters, Bomb proof Structures and other buildings for Passive Air Defence purposes. (c) Was a lecturer on the structural side of Passive Air Defence in the staff of Engineer-in-Chief's Branch, when Passive Air Defence was started. (d) Conducted a series of full scale experiment with 500 lbs. bombs. (e) Is an Associate of Institute of Civil Engineers (Chartered Civil Engineer) 3. He has been in India since April 1940 and is familiar with all types of buildings, etc.
Mr. G. Scholes, B.Sc. (Hons.), (British).	Central Chemical Adviser.	<ol style="list-style-type: none"> 1. Had 'Blitz' experience in England upto September 1941. 2. (a) Was an Identification Officer in England. (b) Had experience in War Gases at the University of Manchester. (c) Was a research chemist of I. C. I. and Dye stuff group, which is closely attached to war Gas production
Mr. V. R. Fenn (British).	Fire Fighting Adviser.	<ol style="list-style-type: none"> 1. Had 'Blitz' experience from the outbreak of war till 17th July, 1942 in the East end of London. Attended 'Blitz' fires at Manchester, Bristol, Southampton, Portsmouth and Coventry. 2. He has 21 years professional fire brigade experience during which period he rose from the ranks to the position of Divisional Officer. All his services have been spent in the East of London.

Names.	Designations.	Qualifications.
Mr. H. Waddington (British).	Camouflage Representative.	<ol style="list-style-type: none"> 1. Has no 'Blitz' experience. 2. (a) Is a registered Architect of Great Britain and N. Ireland. (b) Extensive study of air photography in connection with Archaeology in U. K. Palestine, Egypt and India (1928 to 1942). (c) Trained at Camouflage School, Kirkee. 3. Has toured in Delhi, Rajputana, Central India, Punjab and United Provinces while employed in Archaeological Survey Department, Government of India since July 1937.
Mr. J. S. Vorley, C.B.E., I.F.S. (British).	Deputy Director Warnings.	<ol style="list-style-type: none"> 1. Had 'Blitz' experience in Burma. 2. Was Commissioner of Civil Evacuation in Burma. In I. F. S. he was Deputy Conservator of Forests.
Mr. W. F. M. Davies, I.P. (British).	Area Adviser, Southern India Army Area.	<ol style="list-style-type: none"> 1. Has no 'Blitz' experience. 2. Received training at the Civil Defence Staff School Calcutta. 3. Has been an Officer of Indian Police since 1927.
Wing Commander, A. H. S. Steele-Perkings, O.B.E., R. A. F. (Retd.) (British).	Area Adviser, Eastern India Army Area.	<ol style="list-style-type: none"> 1. Inspector, Home Office (A. R. P. Department) 1935-1938. Wrote "C" series Home Office A. R. P. memoranda (Public Utilities). Had big part in working out Port of London A. R. P. Scheme. 2. (a) Was Director of A. R. P. in Hong Kong. (b) Has served in the R. Navy and R. A. F. 3. Has toured extensively throughout India.
Lt.-Col. B. K. Sheorey, I.M.S. (Indian).	Assistant Director General, I. M. S. (A. R. P.)	<ol style="list-style-type: none"> 1. Had 'Blitz' experience during the battle of London 1940-41. 2. (a) M. B. B. S. (Bombay). D. L. O. (London). F. R. C. S. (England). (b) Professional experience of about 14 years. (c) Hospital experience—Held 8 Hospital appointments in England 1934-41. (d) Surgeon, E. M. S. Metropolitan Hospital, London (Ministry of Health appointment from Sept. 1939 to Jan. 1941). During this period did all major Air Raid surgery at the Metropolitan Hospital, London.
Lt.-Col. E. K. Yiend (British).	Deputy Director Schools.	<ol style="list-style-type: none"> 1. Air Raid experience in U. K. 2. Instructor Chemical Warfare School India 1930-1936. A. R. P. Officer Coventry 1936-1938. A. R. P. Officer Croydon 1938-1940. 3. Was an Officer of Indian Army from 1916-1936. Stationed all Provinces except Bombay, Orissa and Bihar.
Mr. E. G. D. Robertson (British).	Assistant Director Schools.	<ol style="list-style-type: none"> 1. Air Raid experience in U. K. and Burma. 2. A. R. P. training in U. K. 1940. Incharge Central A. R. P. Training, Burma.
Capt. T. Marlow (British).	Commandant Staff College.	<ol style="list-style-type: none"> 1. Blitz experience in U. K. 1939 to November 1941. 2. Regional Officer S. E. Region, Ministry of Home Security 1938-41. 3. Officer in Indian Army. Great War.
Lt.-Col. H. I. Bulkley, R. E. (Rtd.) , (British).	Commandant Industrial School, Calcutta.	<ol style="list-style-type: none"> 1. Blitz experience in U. K. 1939-1942. 2. Structural Precautions Adviser to Ministry of Supply U. K. 1940-42. 3. 12 years military experience of India.

Names.	Designations.	Qualifications.
Mr. E. J. Little (British).	Commandant, Ins- tructors School, Calcutta.	1. Blitz experience in U. K. 1939—to June 1942. 2. A. R. P. Officer Southend 1939-1942.
Mr. L. G. Mirchandani (Indian).	Commandant, In- structors School, Hyderabad.	1. No air raid experience. 2. 2 years various A. R. P. Training in U. K. 1938-1940. Asst. A. R. P. O. Sind Government 1940-1941.
Mr. J. E. Lee (British).	Commandant Spec- ialist School, Lahore.	1. Blitz experience 1939—June 1942. Ministry of Home Security Regional Officer 1939-1942.
Major C. A. Spong (British).	Commandant Spec- ialist School, Bombay.	1. Blitz experience in U. K. 1939—June 1942. 2. Ministry of Home Security Regional Officer 1940-1942.
Mr. H. W. Birkett (British).	Deputy Command- ant Staff College, Lahore.	1. Blitz experience in U. K. 1939—June 1942. 2. County A. R. P. Officer Cornwall 1939-1942.
Mr. F. G. Caudery (British).	Deputy Command- ant Industrial School, Lahore.	1. Blitz experience 1939 to June 1942. 2. A. R. P. Training Officer Amersham U. K. 19 8-42.
Major S. McCullagh (British).	Deputy Command- ant Instructors School, Calcutta.	1. Blitz experience U. K. 1939 to June 1942. 2. Deputy County A. R. P. Officer Bedford- shire 1939-1942.
Mr. R. Billimoria (Indian).	Deputy Command- ant Instructors' School, Hyderabad.	1. No blitz experience. 2. Chief Warden Calcutta 1940—January 1942.
Mr. P. F. Croydill (British).	Dy. Commandant Specialist School, Lahore.	1. Blitz experience in U. K. 1939 to June 1942. 2. Rescue Services Training Officer Hendon 1939-1942.
Mr. J. M. Mollison (British).	Dy. Commandant Specialist School, Bombay.	1. Blitz experience in U. K. 1941 to June 1942. 2. A. R. P. Officer Hornchurch and Peter- borough 1941-1942.
Mr. H. B. Fooks (British)	Gazetted Instruc- tors.	1. Blitz experience in U. K. 2. Training Officers under U. K. local autho- rities.
Mr. M.V.W. Stratford „		
Mr. A.W. Goddard „		
Mr. T.W. Martin „		
Mr. B.L. Sahney (Indian)	Gazetted Instruc- tors.	1. Air Raid experience in Burma. 2. Held War time appointments under Burma Government.
Mr. P.G. Gollerkeri „		
Mr. A.B. Advani (Indian)	Gazetted Instruc- tors.	1. No blitz experience. 2. Held A. R. P. appointments under Pro- vincial Governments or Departments.
Insp. J.H. Webb (Domi- ciled European).		
Mr. K.K. Kapani (Indian)		
Dr. P.K. Banerjee „		
Mr. W.T. Rose (British)	Junior Instructors	1. Blitz experience in U. K. 1939 to June 1942. 2. Instructional appointments under U. K. local authorities.
„ W.J. Gane „		
„ F.G. Benson „		
„ S.S. Shanks „		
„ H.G. Evans „		
„ W.A. Barker „		
Mr. B. B. Moonje (Indian)	Junior Instructor	1. Blitz experience in U. K. 1939—June 1942. 2. Stretcher Party paid member and Incident Officer London County Council 1939- 1941.
Mr. C. O. Lynsdale (Anglo-Burman).	Junior Instructor	1. Air Raid experience in Rangoon 1941-1942. 2. Divisional Warden, Rangoon.
Mr. S.B. Mathur (Indian)	Junior Instructors.	1. No blitz experience. 2. Trained in Central C. D. Schools. Held Civil Defence appointments under Pro- vincial Governments.
„ R.B.N. Mitter „		
„ P. D. Mehta „		
„ O. P. Shori „		
„ S. P. Borker „		
„ R. d'Silva (Anglo- (Indian).		
„ G. E. Mitchell (Domiciled European).		
Mr. K.C. Saigal (Indian)		
„ S.K. Brahmachary „		
„ P. J. C. Godfrey (Anglo-Indian).		

Names.	Designations.	Qualifications.
Mr. M. Khan Bahadur (Indian)	Sub-Instructors	1. No blitz experience. 2. Trained in Central C. D. Schools and held A. R. P. appointments under Provincial Governments.
" S. Jilani (Indian)		
" Barin Dutt "		
" O. C. Williams (Anglo-Indian).		
" W. S. Khan (Indian)		
" R. C. Lawrence (Anglo Indian).		
" P. C. Chatterjee (Indian)		
" S. J. Ahmed "		
" R. D. Ishwar Singh "		
" S. M. Hussain "		
" Jagdish Raj "	Sub-Instructors	1. Blitz experience in Burma. 2. Held A. R. P. appointments in Burma.
" V. P. Dhawan "		
" L. L. Sharma "		
Mr. S. L. Tandon (Indian)		
" G. C. Davis (Anglo- (Indian)	Ex-Commandant In- structors' School, Calcutta (Resigned).	1. Air Raid experience 1940. 2. A. R. P. Officer Marylebone-London 1939-1940. 3. 20 years Officer in Indian Army.
" P. H. Tresham "		
Major H. Pigot (British)	Ex-Instructor Staff School, Calcutta (Resigned).	1. No air raid experience. 2. College Professor. Warden Service Officer, Delhi. Trained at Central Schools.
Mr. R. Adiseshiah (Indian)	Ex-Comm and ant Specialist School, Bombay (Trans- ferred).	1. Intensive Blitz experience 1940— June 1942. 2. M. O. I/c. Casualty Services Midlands Area U. K. Member of Advisory Panel Rescue & Casualty Services Ministry of Home Security.
Dr. P. G. Horsburgh G.M. (British).	Ex-Instructor Staff School Cal- cutta. (Reverted to Military Ser- vice).	1. Blitz experience 1940 to May 1941. 2. A. R. P. Officer Northern Area County Durham U. K. 3. Officer in Indian Army 1916-1922.
Captain R. Playford (British).		
SUMMARY.		
No. other than Indians or Anglo-Indians.		35
Number of Indians		29
Number of Anglo-Indians and Domiciled Europeans		8
		Total 72
Number with Blitz experience		37

Dr. Sir Zia Uddin Ahmad: May I know whether the Honourable the Leader of the House is in charge of Civil Defence?

The Honourable Mr. M. S. Aney: For the purpose of answering questions in this House, yes.

Dr. Sir Zia Uddin Ahmad: Is there no representative of Civil Defence in this Assembly?

The Honourable Mr. M. S. Aney: No; not today.

Dr. Sir Zia Uddin Ahmad: Very unfortunate.

PAY AND SAVINGS OF INDIAN SEPOYS.

126. ***Mr. Govind V. Deshmukh:** Will the War Secretary please state:

(a) the pay of an Indian Sepoy in the Army; and

(b) what amount, if any, the Indian Sepoy is in a position to save after defraying his expenses to send home to his dependents every month?

Mr. O. M. Trivedi: (a) Full information on the subject is contained in the Press Communique, dated the 30th September, 1942, a copy of which has been placed in the Library.

(b) As will be seen from the Communique the soldier is entitled to free rations, clothing, and accommodation, which term includes the provision of lighting, water, furniture, and conservancy. It follows that the soldier is in a position if he so desires, to save his pay almost in its entirety.

Mr. Govind V. Deshmukh: May I know why the Honourable Member cannot give us a definite idea as to how much he can save, taking into consideration the expenses he has to incur?

Mr. C. M. Trivedi: I have already given the answer: I said that a soldier is in a position to save almost the whole of his pay if he so desires.

Mr. Govind V. Deshmukh: How much is the question?

Mr. C. M. Trivedi: Almost all his pay, I have said.

Mr. Govind V. Deshmukh: The whole of his pay can be saved for sending home?

Mr. C. M. Trivedi: Yes.

Sardar Sant Singh: Will the Honourable Member place that communique of September 1942 on the table of this House?

Mr. C. M. Trivedi: I have placed it in the library.

Sardar Sant Singh: I want it on the table of the House.

Mr. President (The Honourable Sir Abdur Rahim): I think it is sufficient if it is placed in the library.

Mr. Govind V. Deshmukh: Is it not a fact that Indian sepoy, after meeting their expenses, cannot save more than 5 or 6 rupees a month to send to their families?

Mr. C. M. Trivedi: No; that is not a fact.

DESIRABILITY OF RAISING THE PAY OF THE INDIAN SEPOYS, LANCE NAIKS, NAIKS AND HAVILDARS.

127. ***Mr. Govind V. Deshmukh:** (a) Does the War Secretary propose to raise the pay of the Indian Sepoys, Lance Naiks, Naiks and Havildars in these days when the cost of living has gone up very high? If not, why not?

(b) Has the percentage of deserters among the recruits increased because of insufficient pay?

Mr. C. M. Trivedi: (a) No such proposal is before Government at present. The matter is, however, constantly under review and, as will be seen from the Communique, to which I have referred in answering the preceding question, substantial concessions were granted as recently as the end of September last with special reference to the cost of living.

(b) No.

Mr. Govind V. Deshmukh: May I know what was the percentage of deserters in 1941 and in 1942?

Mr. C. M. Trivedi: Sir, I regret I am unable to give this information for security reasons.

ARRANGEMENTS FOR SUPPLY OF FOODSTUFFS FOR DEPENDENTS OF INDIAN SEPOYS.

128. ***Mr. Govind V. Deshmukh:** Will the War Secretary please state if any arrangements are made for the wives or nearest dependents of the Indian sepoy serving in the army to secure food grain in these days of food scarcity? If so, what?

Mr. C. M. Trivedi: No such special arrangements are made unless the wives or dependents are residing with the soldiers in unit lines.

Mr. Govind V. Deshmukh: As the Honourable Member is aware that great hardship is being experienced by the wives and children of Indian sepoys serving in the army due to food scarcity, in view of that fact, are no arrangements being made for supplying them with food grains and other necessities of life, namely, standard cloth, etc.?

Mr. O. M. Trivedi: That is not possible.

Mr. Govind V. Deshmukh: May I know why it is not possible?

Mr. O. M. Trivedi: Because the soldiers' families live in innumerable villages and it is impossible to set up an organization which will cover these innumerable villages.

Mr. Govind V. Deshmukh: But have any arrangements been made for them in towns?

Mr. O. M. Trivedi: There are general arrangements.

Mr. Govind V. Deshmukh: I am asking if any special arrangements—not general—have been made.

(No reply was given.)

PLAN FOR GUARANTEEING FREEDOM FROM WANT TO DEMOBILISED WAR SERVICE-MEN.

129. *Mr. Govind V. Deshmukh: Will the Honourable the Defence Member please state if Government have got any plan laying down a programme to guarantee freedom from want of necessities of life to the men who would be demobilised from such services as the army, the navy, the airforce and technicians after the war? If so, what?

The Honourable Malik Sir Firoz Khan Noon: Government are fully impressed with the necessity of doing everything possible to ensure that men who have joined the armed forces may ultimately be reabsorbed into civil life with the minimum of dislocation and hardship. At the moment winning the war and concentrating all our attention on the destruction of our enemies is our first duty.

However Government recognise that the demobilised soldier will be one of the most powerful agencies in the readjustment and development of society after the war. They are therefore doing everything in their power to fit serving members of the forces for the part they will have to play, and it is naturally one of their first objects to secure as far as possible that men who are eventually discharged from the armed forces should be not only supplied with the necessities of life but equipped to earn a good livelihood and to take a part, perhaps a leading part, in a general movement for the improvement of living conditions.

It is too early yet to be able to foresee, except in a very general way, the situation with which it will be necessary to deal, and plans are of necessity largely in a tentative stage, though every effort is being made to push on with them as circumstances permit or indicate. I may however mention certain directions in which plans and preparations have already reached an advanced stage. A fund is being built up at the rate of from twenty five to thirty lakhs of rupees a month to be used after the cessation of hostilities on schemes for the permanent benefit of ex-service men. A complete card index of the Indian Army has been prepared, in which all the necessary details concerning each individual man are recorded, including technical qualifications.

It has been decided that the scheme for training technicians will be continued for a year and a half after the war. This will enable those men who have been called up before completing their technical training course to complete the course after the war, and thus fit themselves for technical employment.

Government have also under active consideration the creation of a net work of employment exchanges throughout the country which will deal with technical personnel, and with which employment and welfare bureaux for discharged members of the armed forces will interlock and co-operate. It is hoped that

this will go a long way towards helping the large number of technically trained personnel who will be eventually discharged from the services to find a place in industry to the mutual benefit of both.

Mr. Govind V. Deshmukh: Apart from the fund that has been mentioned, we should like to know what definite plans the Government has in its view? That "everything possible is being done" is a vague answer. We would like to know whether any definite plans have been made, and whether a start has been made to carry them out?

The Honourable Malik Sir Firoz Khan Noon: I have given the House the plans on which we have been working but we are quite willing to receive any fresh ideas that any Member of this House or the public is willing to bring forward. You must not forget that all these plans are bound to involve large expenditure and the number of people at the top of society in India who can be taxed for all public services is limited. Therefore our means of doing something for the soldier will be limited by the amount of money which will be at our disposal. However, that does not stop us from considering any plans that may be suggested. I have one or two other plans on which our officers are working, but I should not like to mention them at this stage.

Mr. President (The Honourable Sir Abdur Rahim): I would like to mention to the House that whenever any question requires such a lengthy statement which has just been read out by the Honourable the Defence Member, it is not the practice that it should be read out at length but the purport of it may be given and the full answer laid on the table.

Sardar Sant Singh: What the Honourable the Defence Member has said is all very well, but may I ask him at this time whether the Government has in mind the appointment of a Committee like the one which was known as Rowlett Committee, and to pass a Bill like the Rowlett Bill which did so much harm?

The Honourable Malik Sir Firoz Khan Noon: Do you suggest that one should be appointed?

Sardar Sant Singh: I am asking the Government whether they have a mind to do it, or not. I want an assurance that it will not be done.

The Honourable Malik Sir Firoz Khan Noon: Does that refer to the Home Department or to the Defence Department?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

ARRANGEMENTS FOR CELEBRATION OF THE RED ARMY DAY IN INDIA.

130. *Mr. Govind V. Deshmukh: Will the Honourable Member for Information and Broadcasting please state:

- (a) if his attention has been drawn to the item of news sent by 'Reuter' from London on January 30th, 1943, and published in the *Hindustan Times* of January 31st, 1943, to the effect that "Sunday, February 21st, will be celebrated as the Red Army Day in Great Britain. In London a meeting at the Albert Hall will be addressed by at least one Cabinet Minister. Other demonstrations are being organised by the Ministry of Information in several large towns.";
- (b) if he has considered any arrangements to celebrate Sunday, February 21st, 1943, as the 'Red Army Day' in India by organising demonstrations in large towns; if not, why not; and
- (c) if he proposes to have a message sent to Premier Stalin, the Commander-in-Chief of the Red Army, expressing this country's high admiration of the successes achieved by Soviet Russia?

The Honourable Mr. M. S. Aney: (a) Yes.

(b) No, this is a United Kingdom celebration.

(c) No. But the High Commissioner for India has been invited to represent India at the meeting at Albert Hall. Arrangements have also been made for the participation of the Indian Merchant Navy and of the Indian Forces in marches past of fighting services, etc.

Mr. Govind V. Deshmukh: May I know the reason for not celebrating the Red Army Day in India?

The Honourable Mr. M. S. Aney: This is a United Kingdom celebration and therefore we do not celebrate it.

Mr. Govind V. Deshmukh: Is the Honourable Member aware that this is being celebrated in Great Britain and other countries and therefore is it not appropriate for us to celebrate February 21st as Red Army Day also?

The Honourable Mr. M. S. Aney: I am asked whether a particular celebration is being celebrated on a particular day. I have given a reply to that and have added that India is allowed to take part in the particular way which I have mentioned in my reply.

Mr. Govind V. Deshmukh: Does the Government contemplate any other way of celebrating this?

The Honourable Mr. M. S. Aney: The suggestion is there, and the Government will give due consideration to it.

Dr. Sir Ziauddin Ahmad: With reference to part (b) of the question, may I know what is the reply to "If not, why not"?

The Honourable Mr. M. S. Aney: I think, answer to that question is given in the reply itself.

ANNUITY PAYMENTS TO BRITISH INVESTORS ON INDIAN RAILWAYS.

131. ***Mr. K. C. Neogy:** (a) Will the Honourable the Finance Member be pleased to state what was the aggregate amount of annuity payments that remained to be paid to British investors on Indian Railways as on October 1st, 1942, and when these various annuities would have terminated in the ordinary course?

(b) What was the lump sum payment that the Government of India have paid over, or agreed to pay over, to His Majesty's Government in lieu of the annuities above referred to?

(c) On what basis have the value of the annuities been computed so as to make up the amount to be immediately paid over to His Majesty's Government?

(d) What are the specific advantages, if any, to India in the arrangement under which, in return for the lump sum payment to His Majesty's Government, they would make available to the Government of India sums equal to the instalments of the several annuities as and when they fall due?

(e) Is it a fact that the lump sum payment represents in effect only an investment at $2\frac{1}{2}$ per cent.? On what terms was the Government loan raised at the time to provide the money for the said lump sum payment?

(f) Are the Government of India continuing to shoulder any legal obligation to the annuitants until they are paid off by His Majesty's Government?

The Honourable Sir Jeremy Raisman: (a) The aggregate amount of annuity payments which remained to be paid after the 1st October, 1942, was £34,114,654. The annuities are payable generally in half yearly instalments terminating on various dates between 1948 and 1959.

(b) £30,054,250.

(c) The lump sum payment represents the total of the present value as on 1st October, 1942, of each annuity allowing interest at $2\frac{1}{2}$ per cent. per annum.

(d) As I have pointed out on more than one occasion the real gain to the country from repatriation lies in the liquidation of external obligations which might prove an embarrassment in future and their replacement by internal debt.

(e) The reply to the first question has been given under (c) above. Although some of the annuities run for as long as 17 years others terminate much earlier and repayment by His Majesty's Government commences during the first year. The result is that the average period during which the capital will be held by His Majesty's Government is about 5 years. The appropriate sterling borrowing rate for such short term money is $2\frac{1}{2}$ per cent. per annum.

As regards the second question, the transaction was financed to the extent of 15 crores by a reissue of the 3 per cent. Loan, 1963-65, at a price of 95, the balance of 25 crores being covered by the issue of treasury bills at the prevailing rates which do not average more than 1 per cent. per annum.

(f) The legal obligation for the payment of the annuities under the various Purchase Acts rests with the Government of India, where it remains. But the agreement with His Majesty's Government effectively ensures that they will make available to the Government of India the sums required to meet the liability as and when it falls due and that no further payment from the revenues of the Government of India will be required for the purpose. His Majesty's Government have therefore virtually taken over the financial liability.

UNSTARRED QUESTIONS AND ANSWERS.

RATIO OF MUSLIMS IN THE DEPARTMENT OF CENTRAL EXCISES AND SALT, NORTH-EASTERN INDIA.

22. Hajee Chowdhury Muhammad Ismail Khan: Will the Honourable the Finance Member be pleased to state:

- the present strength of Muslims and non-Muslims, and the total of the different services at present working in the Department of Central Excises and Salt, North-Eastern India; and
- if the ratio of Muslims is below what has been fixed for them according to the Central Communal Ratio Rules?

The Honourable Sir Jeremy Raisman: (a) The information asked for by the Honourable Member is as follows:

	Muslims.	Non-Muslims
Gazetted Officers	22	13
Executive subordinates	48	91
Ministerial staff	26	39
Total	74	143

(b) In accordance with the orders relating to communal representation in the Services, 25 per cent. of vacancies filled by direct recruitment in the gazetted grades and 50 per cent. of such vacancies in the subordinate executive and clerical establishments are allotted to Muslims. The existing deficiency of that community in the Department which is due to the transfer, at the time of its formation, of officers already in service in the old Central Excises and Salt Department, Northern India, irrespective of communal considerations, cannot be remedied all at once but will automatically disappear in course of time.

PAUCITY OF BENGALI MUSLIMS IN THE DEPARTMENT OF CENTRAL EXCISES AND SALT, NORTH-EASTERN INDIA.

23. Hajee Chowdhury Muhammad Ismail Khan: (a) Is the Honourable the Finance Member aware that the province of Bengal pays the highest excise revenue and yet there are very few Bengali Muslims in the Department of Central Excises and Salt, North-Eastern India?

(b) If the answer to above be in the affirmative, does he propose to devise means to increase the number of Bengali Muslims according to the population basis?

The Honourable Sir Jeremy Raisman: (a) and (b), Bengal is not the province in which the highest excise revenue is collected nor is recruitment to the services of the Department made on the basis of revenue collections. Out of 74 Muslims employed in the Department, however, 35 are Bengali Muslims and their number is bound to increase in course of time as Muslim officers who belonged to the old Central Excises and Salt, Northern India who were transferred to Bengal on the bifurcation of the department vacate their posts.

NON-APPOINTMENT OF MUSLIMS IN THE DEPARTMENT OF CENTRAL EXCISES AND SALT, NORTH-EASTERN INDIA.

24. Hajea Chowdhury Muhammad Ismail Khan: (a) Will the Honourable the Finance Member be pleased to state if appointments which were due to Mussalmans in the Department of Central Excises and Salt, North-Eastern India have so far been given to non-Muslims?

(b) If the answer to above be in the affirmative, is he prepared to give future appointments to Muslims by way of redressing their legitimate grievances? If not, why not?

The Honourable Sir Jeremy Raisman: (a) No, Sir.

(b) Does not arise.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to part (b) of starred question No 34 asked by Mr. J. Ramsay Scott on the 15th September, 1942.

AVAILABLE AMOUNTS OF POWER ALCOHOL AND RECTIFIED SPIRIT.

United Provinces	Nil	But shortly about 57,000 gallons a month will be available.
Punjab	115,687	gallons.
Other provinces	Nil	

Information promised in reply to starred question No. 59 asked by Mr. K. C. Neogy on the 12th February, 1943.

PROVISION OF BROTHELS FOR FIGHTING FORCES IN CALCUTTA.

Extract from "Calcutta Diocesan Record", dated November, 1942.

DO OUR TROOPS WANT MORE BROTHELS?

Are we fighting for the right?

In Calcutta at the moment, in the very heart of the residential area, respectable people are being asked to turn out of their houses by the authorities in order to make way for brothels. We think it right that the facts should be made public.

Here are the facts—they are facts.

The area affected lies between Marquis Street and Ripon Street. Residents have been visited by the police, accompanied by prostitutes, and told that their houses are required "for brothels for the military".

Protests have met with the answer. "We know we cannot force you to go, but it will be no use you making complaints against your neighbours after this becomes a brothel area; such complaints will not be noted in the police diary". This was then illustrated by the instance of a resident in Ripon Street, who made a complaint against the unseemly conduct of a neighbouring house and was told that Ripon Street was in the brothel area and that therefore the complaint would not be entered in the general diary.

Already the scheme has begun to take shape. Objections made in recent months by local residents to the immoral use of certain houses have had no effect. Fresh houses are being turned into brothels already. There are indications that the building next door to Saint Mary's Home and Hospital for Aged Women is to be used as a place for the medical examination of prostitutes.

Further protests have been made to those in authority, but as yet without any effect. The Metropolitan has taken up the matter and we ask the support and prayers of Christian people for him in his effort to stop these disgraceful proceedings.

There are those—some of them in high official positions—who think an unnecessary fuss is being made. We would ask them how they would like it if they were visited by police sergeants, with car-loads of public women to inspect their houses, and told to clear out and let their comfortable homes become brothels. We would ask what sort of an outcry would

be made if some of the more desirable parts of Ballygunge, Alipore or Chowringhee, inhabited by wealthy Europeans, were chosen for the new brothel area. We would ask how senior government officials, who are prepared to wash their hands of the matter, would like it if their quarters were requisitioned for brothels.

But because it is only some poorer people, chiefly Anglo-Indians, who are concerned, it doesn't matter.

We are told that the police are taking these measures for the protection of the respectable families in the neighbourhood. We are not told that the respectable families of the neighbourhood have petitioned the authorities to be excused from the 'protection' which they will be afforded by the establishment of brothels all round them.

We are even told that these things are necessary for the physical and moral (!) well-being of the troops.

We believe we are right in saying that the British Army has long ago faced this question and that it is against army regulations to keep licensed brothels for the troops. The only plea for opening this new area is the presence of our armed forces, so whether they will be officially licensed or not is a mere matter of words. They are meant for the troops.

In Calcutta there is of course already a 'bad' area; but surely one is enough and we do not want another, which is to be thrust before people by being situated in the very centre of the city. Those who want brothels will find the existing ones. To establish this new area would only dangle the temptation before the men of our forces, many of whom are mere lads. They should be protected, and not enticed, by the authorities.

We are not such fools as not to realise that there will be in every army a certain number of men who will use such places, but we believe it is a slander on the hundreds of thousands of decent men in the ranks to suggest that they demand the multiplication of such facilities. We have discussed the matter with a number of them and find that they all condemn the whole business.

We know too that there has been a great deal of venereal disease among the troops here, but experience in other countries has shown that the establishment of controlled brothels does not remove or even mitigate the venereal scourge. Experience—as in the Rhine army in 1920-23—has shown that the abolition of regulation has decreased the ratio of disease in the forces. A more effective measure in Calcutta would be to see that the men did not have so much time hanging on their hands with nothing to do. In particular they should be provided with plenty of facilities for playing games and for other healthy recreation.

* * * * *

But whether the men want it or not, the first question which a Christian must face is *is it right?* And surely there can be no doubt about the Christian answer to that question.

We call this war a crusade for righteousness. Is this our crusade?

We talk about the blessings that British rule brings to India. Are these the blessings that must follow in the train of the British army?

We hold up our hands in horror at the immorality of the wicked Nazis and the savage Japs. Are we any better if we allow this to go forward?

Is this a foretaste of the new and better world we are building?

When our troops are quartered in their own country, are brothels multiplied on their behalf? In Chester, in Bristol in Plymouth, in Bath, in York—in a dozen other lovely old English towns, do the benevolent authorities go round clearing decent folk out of their homes in order to plant brothels in the heart of the town?

Such things would not be tolerated in England. Then why in Calcutta?

We believe that the conscience of decent people both here and in England will revolt against the action of the authorities in Calcutta once the facts are known.

We demand that the whole scheme be dropped.

Extract from "Calcutta Diocesan Record", dated December 1942.

DO OUR TROOPS WANT MORE BROTHELS?

An article published under this heading in last month's *DIOCESAN RECORD* may have given rise to a false impression—that 'the authorities' referred to were the military authorities. Actually we were not at all sure who was really responsible; our purpose was to draw attention to an intolerable situation, in the hope that 'the authorities' whoever they might be, would realise the profound resentment which their actions had caused, and in view of it would change or modify their policy.

We now have the personal assurance of high military authorities that they are in no way responsible for the procedure against which we protested, that they have not deviated at all from the official Army policy with regard to 'brothel area', and have neither suggested nor instigated the measures taken recently in the Marquis Street neighbourhood. For the sake of the honour of the Army we welcome this assurance. The responsibility seems to be entirely on the civil police.

In one particular we were wrong: the building next-door to St. Mary's Home is to be used as a prophylactic treatment centre for the men, not as an inspection clinic for prostitutes. Further, one phrase, 'there has been a great deal of venereal disease among the Troops here' though true is misleading: the amount of disease has increased considerably, but that

is because such a tremendous number of Troops are in, near, or passing through Calcutta. Actually the percentage, we are assured, is extremely low, much lower indeed than in peace time—a fact which reflects great credit on both the military authorities and the men, and we are very glad to hear it!

This clears the situation considerably; but the burden of our complaint still stands. What about the respectable people in the Marquis Street area who have 'unofficially' been turned out of their houses, and all the rest whose lives are being made unbearable by a barrage of solicitation in the street and a series of 'invasions' in their houses. Further, what about the numbers of young girls being procured for this trade and brought into Calcutta? And finally what about the welfare of the Troops themselves? The American Medical Association insist emphatically that 'the control of venereal disease requires the elimination of commercialised prostitution'.

These are some of the questions involved, and to which an answer is required immediately in the interest of us all—military and civilian. We trust that something will be done without delay.

DISPENSING WITH THE QUESTION HOUR ON THE GENERAL BUDGET PRESENTATION DAY.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that in accordance with the usual practice no allotment as regards questions was made in respect of the meeting for the 27th February fixed at 5 P.M. for the presentation of the Budget and that there will, therefore, be no questions on that day.

MOTION *RE* THE SITUATION AS REGARDS FOOD AND OTHER NECESSARIES.—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The motion now before the House is that of the Honourable Mr Nalini Ranjan Sarker, regarding the situation in the country as regards food, fuel, drugs, etc.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): The other day figures were given here to show how meagre was the help which the Government of India was giving to its own poor employees under a scheme. Besides that there is no other scheme worth its name to help other poor subjects of the Crown—rather, they are saddled with taxations and subscriptions of different kinds. Sir, the Honourable Member for Commerce quoted figures of shortage of staple food in the country and for the export of food grains outside the country in his speeches in reply to the country's demand for stoppage of exports. But, I will remind him that figures will not fill hungry stomachs. He does not even take note in his figures of imports of food grains. Has that not gone down much from 1940-41, when it was in grams, pulses and flour 10·6 crores and in 1942-43 it was only 30 lakhs of rupees? Does he ever take this into consideration? During this winter I daresay that millions will die of hunger or cold, because of high prices for every necessity of life. Our Honourable Members of the Government of India and other high authorities here and in provinces are enjoying blazing fires in their offices and homes, from coal and other fuel, besides the use of electric heaters. They have no difficulty about food and clothes. They can afford to buy everything. But go to any city, town or village, and see the condition of the poor. Thousands lie under the trees or on footpaths or even in the open shivering from cold and dying for want of food, etc.

It is said, Sir, that transport difficulties for food grains will be overcome after some time. Are we to understand from this that troop movements and war necessities will be subordinated to the needs of people of India in future? If not, then where is the sense in such palliations? Will it be sense for any Member of the Government to say that priority will be given to the transport of food grains when the supplies will be available and so forth? I am afraid that with the present rate of export, the supplies will never be available to the

masses of India. There has been juggling in figures and so there will be and is, juggling in statements and assurances. Now, Sir, we have it that the Government of India's control scheme has failed miserably and a condition of chaos is created. This acute shortage of everything is bound to create a serious conflagration some day not distant. The Government of India's complacency is very much surprising indeed, specially in regard to food grains, salt and fuel. The pity is that Government and its officials do not listen to non-officials and consider themselves safe in their offices. Even the advice of the All-India and Provincial Chambers of Commerce carry no weight with the Government. I warn the Government that if the masses of India get desperate, it will be difficult both for the Government and the people to manage them. The half measures taken by Government in their policy of control and not taking the people on the spot, in the markets and their respective places, into its confidence, has all the more affected the already bad position. The removal of control over wheat from 25th January last has made the position worse in certain places, as day to day change of policy was bound to unsettle business.

Here, from Delhi, the all-powerful Government of India issues orders and communiqués to Provincial Governments which some do not endorse even, as the local conditions differ. If the peasants and traders or banias have hoarded up as much as they could to make profit, we cannot blame them easily as Government itself has hoarded up. The cultivator or peasant knows that he must keep enough to feed himself and his family till the next harvest is ready. He has to buy his other necessities too from his own stock as he has no other means for doing that. He says that he expects no help from any quarter, but only kicks and blows from Tehsil and the thanas are his lot. In my own province they are asked to give two pice or one anna on every rupee of their rent as the Zamindar is asked to pay Rs. 10 per cent. of his Revenue as subscription for war purposes. Once the Tehsildar asks for that, then the Thanadar and often the S. D. O., do the same in order to show and prove their loyalty to Government only to get a title or promotion or both and this routine goes on. This all is done in utter disregard of the condition of the people. Sir, from the peasants and Zamindars you can either have payments in cash or in kind but you shall have to leave something for their upkeep and living. Thus God only knows how much goes to the war fund and how much to whom. Realizations are made in different ways and means. Somewhere there is a wrestling match, somewhere there is an exhibition or so, and an official can escape punishment for all his sins of omissions and commissions if he just gives something out of his spoil for the war fund.

It is said, Sir, that in his turn the Bania or trader has also hoarded. He too thinks that he may make hay while the sun shines as he can easily escape blame after doling out cash and grain to those who are guardians of peace and order and sell his commodities at a price that is convenient to him. Why should he care for the consumer when he knows that Government has no safety cover for the consumer. The control scheme was in fact an experiment at the cost of the Indian consumer. There was no complete, well cut and dried scheme from bottom to top. It was an inverted sort of scheme. There were no definite data of articles of produce in hand or a calculated estimate of quantities of requirements.

Now, Sir, licenses have been issued for sale of necessities of life to those mostly who are favourites and it requires very great patience if one goes to the shops of licensees to buy. They pose as worst dictators and if one dare raise his voice of protest, he will never get his quota of supply the next day. There is no check at all for their arbitrary ways of distribution. The Government will not take the municipal and local boards or town area members or zamindars of the locality for effective supervision of supply depots of licensees.

[Mr. Muhammad Azhar Ali.]

Now, Sir, the scheme of "grow more food" too was adumbrated and such land where non-food crops were cultivated was utilised for growing more food crop. Even the recommendation of the Imperial Council of Agriculture for the utilisation of uncultivated land of which there is a great scope, was not accepted. The area of cultivable waste land other than fallow is about 15 crores of acres while the area under cultivation is only 23 crores of acres. If the services of retired Indian agricultural officers and experienced zamindars could be obtained, then there is every chance of more produce. But as red tape will not permit that, Government will not attend to such suggestions even. I would also say that, whether it be about the political situation in India or it be about failure of Government control scheme, etc., the people are blamed both by the Government of India and at home. God only may help us from such friends of ours!

I will make a few suggestions, as has been desired by the Honourable Member. One, stop the export at once. Secondly, non-officials of this House and from Provincial Governments, zamindars of locality, be taken into confidence and consulted in matters relating to rates, requirements, etc., of food and fuel commodities. Thirdly, Government jungles be worked at once for wood fuel and charcoal and the produce supplied to Provincial Governments for sale. Fourthly, All-India Chambers of Commerce and Provincial Chambers, Zamindars and representatives of peasants be asked to advise the Government and their advice should be carefully considered.

Mr. N. M. Joshi (Nominated Non-Official): What about the consumers? They are the people to advise.

Mr. Muhammad Azhar Ali: That I have said—representatives of peasants and zamindars should be taken. Fifthly, consult and follow the advice of the Imperial Council of Agriculture. Sixthly, no more taxation on necessities of life if war funds are a necessity. Don't use a double edged sword and thus cut both ways.

From the statements made by the Honourable Member so far, it can be deduced that he is paying lip sympathy to his countrymen about the most serious position in the country in regard to food and other necessities of life. He has been saying something that after March 1943, if the present conditions continue, the export of food grains would be stopped, that is, when the new grains will be expected to come in. But, in fact, the time to stop export was the present when Indians were dying. Such an undertaking is only tantamount to a bitter pill . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Hooseinbhoj A. Lall'ee (Bombay Central Division: Muhammadan Rural): Sir, I have very carefully listened to the lucid speech that the Honourable the Commerce Member made the other day. We have also read the proceedings of the various conferences that have been held and recently a large number of publications that have been placed before the public with regard to foodstuffs has given us a lot of information.

To me the question does not present a great deal of difficulty. It may be surprising to many here, but I make bold to say that so far as this country is concerned, as a businessman who has been trading, or whose people have been trading in rice and other foodstuffs for the last 140 years—I make bold to say that there is no much fear of ourselves suffering from scarcity of foodstuffs in this country. (Interruption.) Why we are suffering is a question. So far as production is concerned, I may once again say that we ought not to suffer. It is a well known fact that if India is divided according to the provinces, we find that right up to the time when Burma was taken away, Bengal used to export

rice. Once it was Bengal which exported rice to Arabia, Hejaz, to Abyssinia, to Basrah, Zanzibar, Mauritius, to Colombo and to Natal. In fact, it was only after Bengal preferred to have more of jute cultivation and also to send its superior rice to those countries and buy Burma rice which was sold much cheaper—we find that Bengal had to rely a good deal, specially the Eastern Bengal and Assam, on the Burma rice. So far as Western Bengal is concerned, I am prepared to be corrected by the Honourable Member who comes from there, it produces enough rice not only for local consumption but even for export. Chittagong was considered a rice exporting port, and Puri and Cuttack, including the Madras port of Cocanada, were also exporting rice. Therefore, I contend that if there has been any deficit in Bengal in rice, it is due to the sudden action of the enemy in taking away Burma, but that, too, not to a large extent. If you take the U. P., so far as I have been able to make out, the U. P. has never been importing rice or other foodstuffs from outside except a little wheat. So far as the Punjab is concerned, she has never imported foodstuffs, but has been exporting wheat and even rice. In the year 1936-37 there was a regular agitation in the country, as a result of which, we endeavoured in this House to stop the import of wheat from Australia, so that the Punjab wheat and wheat growers could get a sufficient price for the article. So far as 1936-37 is concerned, our records will also show that the Punjab had enough wheat, enough to export not only to other parts of India but to outside. And recent figures show that the Punjab has supplied, to the amazement of other provinces, rice for military purposes to almost all parts of India.

An Honourable Member: When?

Mr. Hooseinbhoj A. Lalljee: It is a fact and I do not think it would be denied by my Honourable friend, the Supply Member, that for military purposes, right up to 1940-41 supplies for troops in certain parts of Bengal and certain parts of Karachi were also purchased in the Punjab.

Therefore, I contend—and I am only concerned with that part of it—that the Punjab has got a large quantity of rice besides wheat. The price of wheat in the Punjab has been about Rs. 4 per maund and I do feel that this price did not give a sufficient return to the agriculturist. Far less sufficient would it be now if we now say that Rs. 6 per maund would be a fair return to the agriculturist in the Punjab for the simple reason that for years together they have suffered and also for the reason that all other necessities of life cost much more now than they used to before and everything depends upon the price of other necessities of life. Then, we come to Sind. Here, again, we find that Sind never imported rice but exported it to the Arabian and African ports and after the Sukkar Barrage the yield there has also gone up than it used to be before. As to the Central Provinces and Rajputana, they used to supply to Bombay *jowar* and *bajra*. Even today, I make bold to say, in certain parts of the Gwalior State and in Rajputana there is enough quantity of *bajra*. The price of *bajra* there has not increased much but the same question of the higher cost of necessities of life equally affects them and they are entitled to better prices. Then, we come to our province of Bombay. Here, many years before, the cotton cultivation in the Central Provinces, the Nizam's dominions and in the southern part of the Bombay Presidency was increased, we had enough of *jowar* and a good deal of *bajra*. Even now we have a fair quantity of *jowar* being produced in the Bombay Presidency. But the Bombay Presidency has always relied to a very large extent on the Burma rice and that is due to the fact that the production of *jowar* and *bajra* had been going down. We produce a certain quantity of rice in Konkan which is of a very superior type. It used to be exported before but at present, I am glad to say, its export has been stopped. Just as in Bengal, our superior rice was exported and we imported the Burma rice and the hit to the Bombay Presidency has been very bitter because of the

12 Noon.

[Mr. Hooseinbhoy A. Lalljee.]

fact that we are having famine conditions in certain parts and the production of *jowar* has been considerably reduced, and the Burma rice has been stopped. So far as the Madras Presidency is concerned, there used to be a lot of rice there and we had Resolutions brought in this House in 1937 that the inferior Siam rice ought not to be allowed to be dumped in parts of Madras. It is a well known thing that Madras, like Bengal, live entirely on rice and nothing else. In these circumstances, we have got to consider the deficit after the exports have been eliminated. We have got to replace the Burma rice by some superior rice in Konkan and also with the superior rice of Bengal. We have got to replace it by the surplus of wheat that is available in the Punjab and by *jowar* and *bajra* that is available in Rajputana and the Central Provinces.

We have also to take into consideration the position that has arisen because of the price control. A lot has been said in this House since the beginning of the war that there should be price control and I believe naturally one desires that there should be price control, but as a businessman I say that the price control, if you ever attempt to do it, must be done very carefully. If it is not done carefully, then the moment you declare it you create an impression that there is a scarcity or there will be a scarcity and the prices will go up and therefore everybody must be careful. That is the first impression which is created. If you speak for price control, it means that you are speaking something that would create something like panic. I do not like, therefore, that specially in the present circumstances, except on rare occasions, we ought to speak much of the price control here and price control there. The price control in various provinces has not resulted in any benefit whatsoever. I make bold to say that today we are receiving far more complaints about the supply of foodstuffs than was the case before the price control was resorted to in the country. None of the Members in this Honourable House will say that the price control of articles of foodstuffs has had any good effect so far as the supplies are concerned.

There is a lot being said with regard to hoarding. Naturally when you create a sort of panic, everyone who is able to make a little saving tries to hoard a little or more.

The Honourable Mr. M. S. Aney (Member for Indians Overseas): Does the Honourable Member think that saving for one's requirement and hoarding are one and the same thing?

Mr. Hooseinbhoy A. Lalljee: I am coming to saving as well. I am only referring to the two most important points of high prices, scarcity and hoarding. These are the very commonly used phrases and a lot has been said about them. I admit as a businessman that as soon as the price control comes in and as soon as the businessman see an opportunity, they do hoard as much as they possibly can and so do those who can manage or afford to do so. But the question of questions is this. The scarcity in India with regard to foodstuffs is mainly of rice and due to rice which did not come from Burma last year. If your export and import figures are taken you will find that the whole deficit and all the cry we had in the country has been due to the fact that rice from Burma is not available. It is also an established fact that if the price of one of the foodstuff commodities goes up or there is scarcity of it, the consequential effect must be apparent on all other foodstuffs. If you agree with this premise, I contend that even if our exports are restricted as they are restricted now including the military requirements, then also there is some deficit and that is due to the Burma rice not being available.

The real deficit therefore is of Burma rice and that can be and should be reduced and that great difficulty must be considered as the first great concern of the Central Government. I contend that they should look into it. Now, Sir, I was dealing with the hoarding of foodstuff. You have got to consider one of the most important points in that as well. To hoard foodstuff in

large quantities is not an ordinary thing for the simple reason that it is a well known fact that wheat cannot be hoarded for more than four months once it is sacked and put into godowns.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): No?

Mr. Hooseinbhoy A. Lalljee: I can tell you from experience that wheat cannot be hoarded for more than four months except when a very special care is taken or in the fields underground, which cannot be done on a large scale.

Dr. Sh Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): We can hoard wheat for four years.

Mr. Hooseinbhoy A. Lalljee: But not in godowns. You cannot hoard wheat for more than six months.

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural) No, no

Mr. Hooseinbhoy A. Lalljee: My Honourable friend says, "no, no". Here today fortunately we are likely to have the opinion of an expert brought in by the Honourable the Commerce Member in the person of Major-General Wood, who has lot of experience, and I boldly say he has a lot of experience, in the matter of foodstuff and supplies generally and since the war he has been in charge of a very important Department.

Mr. M. Ghiasuddin (Punjab: Landholders): In hoarding?

Mr. Hooseinbhoy A. Lalljee: He will tell you that so far as military is concerned in many stations before the war and even now they cannot make use of the wheat after six months although kept with all the care; and they take in new stock every six months at every important fortress like Aden although it is in very good godowns. I repeat it has been the practice of Military Government to stock wheat for periods of four months or at the most six months, after which they will take it out. That has been also the experience of businessmen of great cities who hoard in godowns. I have not such vast experience with regard to hoarding of wheat. I cannot tell you about hoarding of wheat in the fields or by the cultivators: but you must remember when you have got any complaint to make with regard to the wheat hoarded by businessmen you have got to make sure of the places—where it could be hoarded in large quantities and that is in godowns and in large towns where financial and many facilities are available. Well, I may say once again that so far as wheat is concerned it cannot be hoarded in godown in large cities and in large quantity safely without being affected by the worms for more than six months, in fact, over four months. Wheat flour and atta cannot remain for more than three months.

Sir Muhammad Yamin Khan: There you are right, but sometimes not more than two months.

Mr. Hooseinbhoy A. Lalljee: You can ask somebody else, if you like. Sir, with regard to *jowar*, it cannot be kept safely in the same good condition for more than four months, in godowns wherein again only large quantities can be stocked by businessmen.

The Honourable Mr. M. S. Aney: What?

Mr. Hooseinbhoy A. Lalljee: You cannot put it in godowns and such other places: but they do keep small quantities under-ground, it is kept by agriculturists and that lasts for more than eight months, but that *jowar* is not of the same quality as the *jowar* that is brought out fresh and used by many of us.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Because of the hoarding bogey.

Mr. Hooseinbhoy A. Lalljee: They are not hoarding. It is not a hoarding bogey.

Mr. Jamnadas M. Mehta: This I can understand. Go on.

Mr. Hooseinbhoy A. Lalljee: Now, again with regard to prices. Sir, as I have pointed out it is very essential that there should be a central board or that the Central Government should look into various statistics, and get at once from districts the statistics, which District Collectors can very well do from every district of the quantity of foodstuff, specially staple foodstuff, of the districts on which the rural areas dependent in those districts. If you get these figures you can very well lay down your hands upon the fact that how much each district and each province requires a particular commodity for their actual consumption. It is a fact that besides the price control, besides the little hoarding, great difficulty has been that of the transport which is one of the main cause for high prices. Transport, as we know very well, during the last whole year had to be mainly occupied by military purposes to a great extent. To get a wagon one did pay at least from twenty-five rupees to fifty rupees per wagon specially since the last one year. It is a well known fact.

Sir Abdul Halim Ghuznavi: Bribe?

Sir Muhammad Yamin Khan: Why do you not bring it to the notice of the Honourable the Railway Member?

Mr. Hooseinbhoy A. Lalljee: Now, Sir, paying of that premium was not the only thing. There is a further difficulty, and that is being mostly and invariably experienced and that is of obtaining priority certificates. It is not an easy thing, to obtain that certificate from Provincial Governments and their subordinates, besides it is also very difficult to obtain these priority certificates from other concerned quarters. A wagon did cost or would cost in these circumstances ordinarily to a businessman more than a hundred rupee note.

Sir Muhammad Yamin Khan: All these persons should be prosecuted.

Mr. Hooseinbhoy A. Lalljee: First see what the facts are. Don't please go away with the idea that in India at present and up till now, as it is situated, there is or there is not a great scarcity of food-stuff. That is first thing, that must be studied and that deficit should be adjusted. . . .

The Honourable Mr. M. S. Aney: What is the meaning of a hundred rupee note? I did not follow.

Mr. Hooseinbhoy A. Lalljee: I do not want to say to a great lawyer who has experience of all the worldly matters. But what I wanted to point out is this that it is the Honourable the Railway Member who has to look into this matter immediately. Once you are an elected member you are responsible to legislature and then you are a minister.

Mr. Jamnadas M. Mehta: Election does not ensure.

Mr. Hooseinbhoy A. Lalljee: Minister does. Any how, we did know and we do know that last year all our transport—I mean the railway transport—had to be used and was rightly used for transportation of troops and other war materials; as at various places our war condition then was very very serious, and we have to bear the consequences of that position but now we have to look to the other side as well. We have also to take into consideration that for some important war reasons a large stock of our rolling stock had to be sent out although we could ill-afford, however it is good that so far as war is concerned it helped a great deal in organization of supplies at those places. Here again I contend that it was really only in three provinces that such a thing as a great shortage did happen owing to this transport difficulty and these three provinces, I contend, were Bengal, Bombay and Madras which are dependent on rice. I really fail to see why this loud cry of great scarcity is

raised with regard to other Provinces. I feel it is due to the fact that the impression of scarcity has gone abroad so widely although—I do not see any justification for that impression, mainly that a very large quantity is being exported to foreign countries. Sir, I am not here to defend the Treasury Benches, but I may tell you that the export of foodstuffs to foreign countries is less than in certain years before the war. Certain quantities have been shipped for our troops, but they cannot be much because the number of Indian soldiers abroad is not much. I do not put them at more than four lakhs of our people outside the country and that is not much to provide with from India if it was necessary.

I first dealt with the regular export from this country, then with regard to the requirements of the military and thirdly there is also the impression that we have been sending out foodstuffs for the consumption of civil population outside India. There again, if we take the figures for 1937, 1938 and 1939, we do find that in those years the exports were more than they are just at present. There again I must say we have got to consider that we had then Burma rice to replace. At present we have not got Burma rice. Sixty per cent. of the staple food of the people in this country is rice. Therefore, it behoves us to ask the Government to be more careful, not only careful, but that they should not allow much export of rice to countries outside India for the consumption of the civil population. We are now asking for wheat from Australia. With all good wishes on the part of the Government, it is very difficult to get large quantities from Australia, and I am doubtful we will get large quantities from there soon.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up. He must now conclude his speech.

Mr. Hooseinbhoj A. Lalljee: All right, Sir, All I wish to say is this. My only appeal to Government is that they should have district statistics and keep control in the hands of the Central Government, and they should rely more and more upon themselves than pass on the responsibility to or rely on the Local Governments, who it must be admitted have failed to discharge their duties in this respect satisfactorily.

Sir Abdul Halim Ghuznavi: Mr. President, Sir, the Honourable Member for Food in his exhaustive speech opening this deliberation explained to us fully how the position stood and asked us for constructive suggestions. I have been listening to the speeches that have been made till now; but very few of them struck me as offering any constructive suggestions. Most of the speeches criticised the Honourable Member, unaware of the fact that he took over the Food Department only the other day.

I will deal with the question in the light of the present situation and of the future. I would confine myself to the situation regarding food and fuel. Regarding the food situation, there is no shortage in any acute form in the North-West Frontier Province, Sind, Punjab Central Provinces, United Provinces and Madras. I am open to correction on this point. North-West Frontier Province, Sind and Punjab are surplus Provinces. In Madras, there is a slight shortage of rice, but the Province is confident that it can overcome this shortage. In the United Provinces, there is no acute shortage, but certain areas have registered shortage because of restrictions in the free movement of foodstuffs within the Province. Therefore I need only deal with Bengal, Bombay and Delhi. Bombay is an industrial Province and depends for food supply on imports into the Province. In Bengal there are several difficulties about which I shall deal later on.

Before I go into the question of the Provinces, let me deal with control measures in general. Without comprehensive statistical figures of production and consumption, no administration can effectively enforce control. The machinery provided for the enforcement of control was totally inadequate and

[Sir Abdul Halim Ghuznavi.]

inefficient. The officers in many instances did not understand the technicalities of the trade they were supposed to control. I am sorry to say that bribery, corruption and favouritism in issuing permits were also prevalent to a large extent.

Then, Sir, the Provinces also failed to co-operate with the control measures for selfish reasons. Sir, the Government, to my mind, should have followed the example of the Eastern Group Supply Council who first worked out the plus and minus position of countries regarding the war requirements and then proceeded to equate demand and supply. The position today, in short, is this: while the occupation of Burma, Siam and the Dutch East Indies struck a vital blow at the import requirements of India's food position and the supply of foodstuffs shrank, the Allied military forces which were being daily reinforced, a happy lot of Italian prisoners who were brought here and a large number of evacuees from the eastern theatres of war inflated the demand for foodstuffs.

Dr. Sir Zia Uddin Ahmad: May I ask one question? My Honourable friend was a member of one of the sub-committees of the Eastern Group Supply Conference. Did they equate the balance sheet of foodstuff for these countries also?

Sir Abdul Halim Ghuznavi: Yes Sir. They did.

Dr. Sir Zia Uddin Ahmad: And what was the position of India?

Sir Abdul Halim Ghuznavi: I am not in a position to disclose that. I am under an oath.

Dr. Sir Zia Uddin Ahmad: Can he tell us whether the result was plus or minus?

Sir Abdul Halim Ghuznavi: That also I cannot disclose here; I know the position, but I cannot disclose it.

Sir, the export of foodstuffs has continued despite this difficult position in her own requirements. Between 1939 and June 1942 over a million and a half tons of foodstuffs had been exported. This includes rice, wheat and other grains. Even now rice is being exported to Ceylon. In the case of wheat, the country went on exporting it until a very acute shortage resulted in a panicky market and the Government had to arrange for import of wheat from Australia. Sir, the Government contends that the export of rice now is insignificant in comparison to the total requirements of India. Nevertheless, I submit it is unwise at the present moment to export any rice at all until efforts are made to make India produce in excess of her requirements. I would, therefore, urge that all exports must be stopped until India becomes a surplus country.

Another difficulty which is experienced in distributing foodstuffs is that certain provinces have imposed restrictions on the movement of foodstuffs. These restrictions only complicate the situation.

The main foodstuffs in regard to which there is acute shortage are wheat and rice. Now, Sir, let me deal with wheat. When Government fixed the ceiling price of wheat at the end of 1941, the Government was still exporting wheat and these exports nullified whatever effects the control may have had over the prices. Rally Brothers, Louis Dephres and the U. K. C. C. were all Government agents buying freely in Karachi and Bombay for exporting wheat.

Pandit Lakshmi Kanta Maitra (Presidence Division Non-Muhammadan Rural): Where were they exporting?

Sir Abdul Halim Ghuznavi: Wherever they exported my point is that it went out from India.

Dr. Sir Zia Uddin Ahmad: For the use of Indian Army?

Sir Abdul Halim Ghuznavi: I am not concerned with that: I am only concerned with the fact that it went out of India.

What was the result of that in India? Here there was a ceiling price and wheat in the market could not be sold at more than that price. Government themselves began to buy freely, through their agents in Bombay and Karachi, at higher prices than the controlled rates—thus themselves violating the price which they had fixed for others. And, let me add that this was the cause of failure of the fixation of ceiling price for wheat. In the Punjab the dealers found that they were liable to prosecution if they sold wheat at prices higher than the fixed ceiling price. The result was that all wheat in the market went underground and sold to the public only in black-markets. This benefitted neither the farmer nor the man-in-the-street.

Then there is another factor. When the Government controlled^d the price of wheat they did not control the price of *bajra* and those who had *bajra* to sell started profiteering on that, and sold it at higher prices than even wheat. The same thing has happened with sugar. When they fixed the ceiling price of sugar, they did not fix the ceiling price of *gur*, with the result that the poor man had to pay for *gur* a higher price than sugar itself.

Sir, in regard to rice, by the Government of India's denial policy they wanted to remove all surplus rice from areas within the enemy threatened zones to safer areas in Bengal. The Government of India ordered that this rice should be removed from certain areas, and the Bengal Government was carrying out their behest. The result was that whereas the Government of India ordered to buy rice in the mofussil—not in Calcutta—at Rs. 6/8/- a maund with a latitude given to the agents to go up to ten per cent. more, the Government of Bengal by a notification fixed the ceiling price of rice in Calcutta at Rs. 6/8/- per maund. The Honourable Mr. Somerset Butler, who has the experience of the working of the rice control scheme in Burma, was the officer who was entrusted with the work of carrying on the denial policy, and who had instructed the buying agents to buy at Rs. 6/8/- per maund in the mofussil while the Secretary to the Commerce Department, Government of Bengal, had fixed the maximum price of rice in Calcutta at Rs. 6/8/-. How could that be possible? He did not even take into account the railway fare that would have to be paid in order to bring rice into Calcutta. That resulted in the entire rice in Bengal—it is not a deficit province—going underground and into black market. There was no shortage of rice in fact. The result was that no dealers brought rice to Calcutta out of fear of being prosecuted if they sold it at a higher rate than Rs. 6/8/- a maund. The Government of India's agents were buying rice in the mofussil at Rs. 6/8/- plus ten per cent. at discretion. How then could the merchants sell that rice for Rs. 6/8/- in Calcutta. So they stopped importing rice to Calcutta and that resulted in an artificial shortage of rice in Calcutta.

Sir, I would also like to tell this House that chaos prevails between the Government of India and the Provincial Governments. There is no co-ordination between the two. Provincial Governments ignore the Government of India and the Government of India ignores the Provincial Governments. And I wish to tell you how the business men suffer. The Government of India had certain commitments for exporting rice to Saudi Arabia, Iran, Iraq and the Persian Gulf. This is not only this year. Rice used to be exported from Bengal and India to these countries for a long time. When this question came up for consideration in 1942, the Government of India, instead of allowing the merchants to export freely to these countries, had controlled the rice and arranged for the issue of permits for exporting it. That is to say, no merchant, who was not in the rice export trade before and who had not traded with the different countries, would not be allowed to export now; but those who were in the Export trade already would be entitled to so export upon obtaining a license for his quota which was to be fixed according to what he used to export before. So the merchants in Bengal (they are mostly Muslims) obtained their quota from the Government of India to export to Saudi Arabia certain quantities of rice. But they had no shipping facilities.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sir Abdul Halim Ghuznavi: Well, Sir, I cannot finish this within the time allotted. It is a big thing.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, before I speak on the subject of fuel I should perhaps say one word on the subject of transport of foodstuffs. I have said elsewhere, and I say it again on the floor of the House that the War Transport Department and the Railway Department appreciate that the movement of the people's food is a matter of the highest importance and when it is offered for transport it will be moved. At the present moment we are not getting any substantial complaints about delays owing to absence of transport, but if any Members have such complaints to put forward, I shall be only too happy if they will submit them, since we in the Transport Departments are only too anxious to investigate them and to help the transport of food.

On the subject of fuel several Members asked that fuel should be included within the subjects to come under discussion in the motion. But I have listened to the debate and so far I have not heard very many substantial complaints.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): I propose to speak.

Dr. Sir Zia Uddin Ahmad: I have had no food cooked in my house for want of fuel last night!

The Honourable Sir Edward Benthall: Mr. Bajoria complained that in Calcutta quite recently coal was selling at Rs. 7-8-0 per maund and he complained that it was unobtainable in Delhi, and if obtainable, it was wet. He said that this was a direct responsibility, I think, of the Railway Member. That of course is not correct. The direct responsibility for these high prices is that of the merchants who have taken advantage of the stringent position to bleed the public.

Dr. Sir Zia Uddin Ahmad: May I inform the Honourable Member. . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not giving way.

The Honourable Sir Edward Benthall: The Government have assumed the responsibility for distributing the supply of fuel according to priority needs. For that purpose they have appointed a Controller of Coal Distribution with Headquarters in Calcutta. He has the responsibility for despatching, according to a priority list laid down by Government, coal for 'shipmen' for naval purposes, for locos, for government requirements, for munition factories, iron and steel industries, and so forth. He is also responsible for the allotment and control of wagons which are normally classified as "public". Honourable Members know that there has been for some time, for a variety of technical reasons, into which I cannot enter in full today, a shortage of wagons in the Bengal and Bihar coal fields. Now, if there is a full supply of wagons, an adequate supply of wagons can be made for purposes of "public" supply, but if for any reason the supply of wagons is short overall, then those wagons which stand in the lowest priority suffer.

As regards "public" supply, in March and April of last year public wagons were getting an allotment of 13 or 14 per cent. of the available wagons. But owing to the shortage of wagons which subsequently developed, the percentage of wagons which "public" supply has been getting has subsequently dropped to a figure of 5 per cent. and that 5 per cent., represents not only a smaller percentage but a smaller percentage of a smaller total number of wagons available. Therefore it is not surprising that this has resulted in a shortage of coal

supplies for domestic consumers and small industries. But in that connection I should point out that that fall in the percentage is more apparent than real, because an increasingly large number of industries have been included under the heading of priority. It is estimated that, if we can get a full supply of wagons to the coal fields, 5 per cent. of the full supply will be sufficient to meet the needs of domestic consumers and small industries. But it is obvious of course that with this shortage came the profiteer's chance. I will not dwell on that, but it is sufficient to say that during this period, coal was being charged at the rate of Rs. 30 or Rs. 40 a ton—or even more, I believe. . .

Dr. Sir Zia Uddin Ahmad: Fifty or sixty rupees.

The Honourable Sir Edward Benthall: If we had adhered strictly to the priority list, "public" supplies would have had no wagons at all; and therefore in the course of the year a scheme was gradually developed to take care of this position and "public" supplies were put on a low priority to ensure that they would receive a due proportion of the wagons available. The provincial coal scheme was introduced as from the 1st January, 1943. The scheme was designed to achieve three principal objectives (a) to ensure the equitable distribution of the available coal between the different provinces and consumers, (b) to make possible a control over prices and (c) to maintain as far as possible the organisation of the coal distribution trade. The scheme is based on the following system. Quotas are drawn up by the Controller of Coal Distribution for each province in consultation with Provincial Governments, the detailed distribution of the quota being left to the Provincial Coal Controller. In order to co-ordinate the quota for each province with the supply given to each colliery, the provincial quotas were also worked out for each colliery on a quarterly basis and these have been issued for the coal trade in the form of a pamphlet. Collieries will only be allowed to load for each provincial area a number of wagons allotted to them within the quota of that province. Collieries will not be allowed the option of booking wagons to any consignee or any destination in the province. The Provincial Coal Controllers are expected to recommend names of the merchants to whom the coal is to be consigned on which the Controller can base programmes directing them to book to those consignees. The scheme, I think, has been admirably conceived, but seeing that it involved the co-operation of a large number of officers and of merchants and collieries, it is perhaps not surprising that some of the provinces have not been able to get the scheme into full operation as quickly as they desired. . . .

Dr. Sir Zia Uddin Ahmad: The scheme is excellent but it lacks common sense.

The Honourable Sir Edward Benthall: I maintain that it is a good scheme and it is working well in some places and it will soon be in full operation everywhere. It would not be right to attach blame to over-worked officials for these difficulties in bringing the scheme into operation, and I am glad to say that in his last report, dated the 12th February, the Controller of Coal Distribution reports that most of the difficulties have been resolved.

As I mention earlier, the satisfactory working of the scheme is dependent on an adequate supply of wagons. For various reasons this, at the moment, is not satisfactory. (Interruptions.) There are a number of technical reasons involved and I can assure the House that the supply of wagons to the coal fields is one of our major preoccupations. It is largely or partly due to the shortage of locos and wagons, but it is also a matter of railway operation. There is shortly to be an important meeting in Delhi on this subject and it will be a great disappointment if in the near future there is not a substantial improvement in the general supply of coal wagons on which the supply for "public" purposes also depends.

[Sir Edward Benthall.]

Coming to the question of prices, the Controller of Coal Distribution has arranged with the colliery associations that the maximum price of coal charged by the colliery companies shall be Rs. 12 f.o.r. colliery and for coke Rs. 16 f.o.r. colliery. (*An Honourable Member*: "Very high".) As the Honourable Member says, these prices are very high; they are double what the collieries can get for priority contracts, but they are at least a very very long way below the prices which collieries were charging before the scheme was brought into operation; and if the scheme results in the co-operation of the trade in sticking to these prices, I think—at any rate, I hope—that the House will agree that Government were justified in agreeing to these prices.

As a result of the voluntary fixation of these prices at these levels, Provincial Controllers are in a position to fix the local price for coal and soft coke based on the maximum colliery price *plus* freight, surcharge, handling charges, cartage and a commission and reasonable profit. What that price should be is their affair. The Provincial Controllers have ample powers to deal with any one who exceeds the control price. Apart from the question of prosecutions, they have the power, of course, to strike the dealers who exceed the prices off the list of those who will receive coal. But in maintaining any price, of course, the assistance of the public is necessary, and I hope that Honourable Members will bring to the attention of the local authorities any cases where the price is exceeded.

I will now deal briefly with the situation in Delhi and Calcutta as they have been mentioned. In Delhi, as the House probably knows from the press, there has been a dispute about the composition of the so-called Delhi Coal Banyan. I need not go into the details of that dispute. Suffice it to say that I understand it has been amicably settled and that the numbers of firms composing the Delhi Coal Banyan have been increased in order to preserve the normal distributive machinery of the coal trade. . . .

Sir Abdul Halim Ghuznavi: How can they think of giving Rs. 11 per ton for coal to these banyans? My Honourable friend knows, as his firm was a very big firm dealing in coal, that only 4 annas per ton is given for selling coal. . . .

Mr. President (The Honourable Sir Abdur Rahim): Order, order; the Honourable Member has had his speech: he cannot speak a second time.

The Honourable Sir Edward Benthall: May I say that largely owing to the disputes which have taken place about the composition of the banyan, the supply has not been on a satisfactory basis. The requirements of Delhi are stated to be some 320 wagons per month, although the Controller of Coal Distribution considers that this is rather more than is necessary. In the month of December only 137 wagons were received. Of these, as the House knows, from my answer to a previous question, 34 were booked away from Delhi after they had arrived here. In January, 125 were consigned to the Deputy Commissioner; and 195 more were authorised, making a total of 320. But for various reasons which are not yet clear, only 33 of these were despatched in January, and only 32 of them arrived in February. The position of soft coke is also. . . .

Pandit Lakshmi Kanta Maitra: Did the Honourable Member say that out of 320 wagons only 34 arrived?

The Honourable Sir Edward Benthall: 125 were consigned to the Deputy Commissioner and arrived; and of another 195 authorised by the Coal Controller only 33 had been despatched in January. . .

Mr. Hoeseinbhoj A. Lalljee: Where have the others gone?

The Honourable Sir Edward Benthall: The answer is that there have been difficulties between the collieries and the dealers in Delhi. The amount has been authorised but it has not yet been despatched.

When you come to the question of price, I understand from a meeting which I held yesterday, that the price of coal has been fixed in
1 P.M. Delhi at Rs. 1-8-0 and that it is available at that price.

Some Honourable Members: Not available at all. Black market is going on. Where can we get? We never get coal.

The Honourable Sir Edward Benthall: I passed some coal carts as I was coming to the Assembly. As regards soft coke, I am informed that the price is Rs. 1-9-0 but that it is extremely difficult to obtain at that price. There are stocks of coal in Delhi but soft coke is in short supply at the moment.

To turn for one moment to Calcutta, 3,600 wagons per month are allotted to Bengal for the disposal of the Director of Civil Supplies. Owing to the dislocation of business which resulted in Calcutta round about Christmas-time merchants were extremely slow at that time in placing their orders although wagons had been allotted. As a result of this, in the middle of January the Controller of Coal Distribution asked the Director of Civil Supplies to appoint agents. Some delay took place in the appointment of these agents largely, I think, because a number of coal merchants had left Calcutta but eventually they got together a meeting of merchants who had not left Calcutta and it transpired that they could only guarantee to take 130 wagons out of 200 which the Controller of Coal Distribution was prepared to make available. That was the position in the middle of January and towards the end of January. But coal began to arrive there from about the 21st January and the position has greatly eased and I have received a telegram yesterday to say that coal is freely available in Calcutta and selling at a rate three annas above the control price.

Let me say one or two words on charcoal and firewood. They are, of course, provincial and local subjects. They are produced throughout India and supply must be locally organised; there is not a great deal which the Central Government can do to assist the supply. But so far as I have been able to ascertain, the shortages which we have had reported to us from Simla, Karachi, Bombay and the Punjab, and also Delhi, at various times, are mainly shortages of supply rather than of transport. I do not say that there are not troubles over transport but they have in the main been temporary. As regards Delhi, the requirements of Delhi are some 140,000 maunds per month, that is, the civil demands, and large quantities of charcoal come from neighbouring Indian States. In the last six months of 1942 the supply of wagons for charcoal to Delhi was 95 wagons per month. In the months of November and December the supply rose to 155 wagons, but in January, 1943, the supply was only 28 wagons and this was due to a dispute, I understand, with the Gwalior State. There is no time to go into the reasons for that dispute, but from February 5th the Gwalior State undertook to release 166 wagons, and on the 12th I heard that 60 wagons were awaiting despatch. Unfortunately, these wagons from Gwalior have to come over a very congested section of the line. There is difficulty in moving them and all the other traffic we have to move over that section, but we are allotting six wagons a day, that makes 180 a month, which, as you will see, is a great deal more than was supplied at the highest point in the latter part of last year. I am informed by the local authorities that the supply should be adequate, and Honourable Members will realise that in addition to what comes in by rail, a certain amount, and a very considerable amount, comes in also by road. The control price is Rs. 3-8-0 and I understand that the actual market price is about Rs. 4.

Sir Muhammad Yamin Khan: On paper only.

The Honourable Sir Edward Benthall: I think that is the price one has to pay if you can get it. As regards firewood, this is also a matter of provincial

[Sir Edward Benthall:]

and local supply. In Delhi, the price is some Rs. 80 to 150 per unit of 112½ maunds, that is apparently the unit of the timber trade. The retail price seems to bear an unsatisfactory relation to that price. But again there is little that the War Transport Board and the Railway Department can do in assisting the provision of firewood to various centres. I do not think from enquiries which I have made throughout the country that shortages are due really to paucity of wagons, but we are, as I said before, only too anxious to look into it in cases where shortages of firewood or charcoal are attributed to shortages of wagons and we should be very glad to receive representations.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

The Honourable Sir Edward Benthall: One more sentence. If shortages occur I would recommend those concerned to make immediate application to the Divisional Superintendent of the Railway.

Dr. Sir Zia Uddin Ahmad: I was rather surprised at the speech just delivered by my Honourable friend, the Railway Member. We were not discussing to-day the entire coal problem. We may discuss it on some other occasion. We are concerned only with fuel necessary for household purposes. That is the real problem with which we are concerned in this motion. I say that the system that he has devised lacks common sense. In a small town if coal is not obtainable, we can fall back upon wood fuel, but in the case of a big town like Delhi, we depend almost entirely upon coal for cooking our food. We should not make the distribution of coal according to the population of Provinces, but on the principle whether an alternative form of fuel is available. In a place like Aligarh or a town with even a population of a lakh, if coal is not available, if we can fall back upon wood, we shall not remain hungry. But in the case of Delhi, if coal is not supplied, people go without food. Therefore, in the distribution of coal, you should have taken that factor into consideration, namely, that there are certain towns like Cawnpore, Delhi, and Calcutta, where cooking depends entirely upon coal, that must have priority compared with those towns where an alternative fuel is available. And that is a factor which my Honourable friend has entirely omitted in his plan of distribution. He says he gave a number of wagons to various provinces. There are certain provinces, for example, the Central Provinces, which really do not want many wagons of soft coke for domestic use because they have plenty of firewood. But Delhi is a place where on account of the habits of life and the way in which the kitchens are built for cooking purposes, there is no alternative for coal. Therefore, greater priority ought to be given to those towns which have got a large population and where cooking depends very largely on charcoal and which cannot be replaced by the ordinary wood fuel. That is a point which was not taken into consideration. When I came to Delhi about a month ago in connection with some Select Committees, I noticed the scarcity of charcoal in Delhi. I realised that the Members of the Assembly will be coming here in February and I foresaw the trouble and wrote to the Controller and other authorities concerned that at least one wagon load of charcoal should be given to the Members of the Assembly who will be coming to Delhi to attend the Session. We can bring flour and sugar with us but unfortunately we cannot bring charcoal with us from our own places. In spite of my repeated writings there was no response from any quarter.

The Honourable Sir Edward Benthall: Was that charcoal or soft coke?

Dr. Sir Zia Uddin Ahmad: One or the other, I do not mind; both are required for cooking purposes. So, when the Members of the Assembly are treated in this way, one can easily realise what would be the position of other

people who cannot speak for themselves and who have to suffer all these privations of life. You may make any arrangement for the supply of coal for Government purposes; we are not concerned with it. We are only concerned with the coal required for cooking purposes. In this case, you have to fix the percentage of the coal that is required for cooking purposes in each town separately. So far as its distribution is concerned, what you have to consider is this, whether in that particular locality an alternative form of fuel is or is not available. If an alternative form of fuel is available, then quota may be fixed at lower figure. If the alternative form of supply is not available, then you have to give a proportionately larger quantity of coal as the share of that particular town. If my Honourable friend can give us time, we can discuss the question of coal as a whole. I am prepared to discuss this matter with him and point out the mistake in the distribution and the allotment of priority.

I now come to other problems of food. May I just remind the Honourable the Commerce Member, who unfortunately is not here, that the control of price without previously controlling the stock is putting the cart before the horse and is bound to fail. Any person having common sense will understand this. I am sorry that the Government of India did not appreciate this point. . . .

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member should stop now. He can continue his speech after lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock. Syed Ghulam Bhik Nairang (one of the Panel of Chairmen) in the Chair.

Dr. Sir Zia Uddin Ahmad: Sir, before lunch I was referring to the maldistribution of kitchen coal. I said there are certain places where alternative form of fuel is available and at other places it is not. More coal ought to be given to those places where alternative form of fuel is not available. The other point is local distribution of the coal. That is about the jurisdiction of the Central Government.

Now, coming to the question about control in general I said I wanted to press this point first that the control of prices without previously controlling the stock is putting the cart before the horse and is bound to fail. It is astonishing that this fact was not noticed either by the Economic Advisers of the Government of India or by those experts and other persons whom the Government of India invited for advice. The stockists in this country form a compact body and they have got their own combination and they control the entire market in India. These parasites of the country are the advisers of the Government of India who pull them not only by nose but also by ears. It is the common experience both in India and in America that the propaganda of abstinence was carried on not by the representatives of social reform but by wine sellers. Prohibition pays the wine seller more than open market. The stockists first filled up their granaries, then contrived the system of control of prices and when the control price was fixed they withdrew the grain from the market, and hoarded it in their granaries and resorted to the practice of black market. These very same persons carried on a propaganda that the absence of wheat was due to three causes, (1) the Government was exporting wheat to foreign countries. Export of wheat is less than 1/2 per cent of the total production; (2) the Government was purchasing large quantities for military requirements; (3) there was a shortage in production. This was not correct, as we had bumper crops last year. This propaganda was intended to side track their concealment. The stockists continued to sell the wheat at higher prices by black market. The moment the control was withdrawn wheat began to be sold in abundance but at high prices. During the wheat control period it remained hidden somewhere. It came out only at back door. The Government of India could not control these stockists even if they had desire to do so. They would not desire to

[Dr. Sir Zia Uddin Ahmad.]

do so even if they could control them. There are only two ways of controlling wheat market. I discussed this matter at a very great length during the budget discussion last year. These two methods are practised in Bhopal and Rampur. Bhopal Government control the entire stock of wheat in the entire State of Bhopal and they fix price at Rs. 5 per maund. There the seer is of 96 rupees and not of 80 rupees. Nobody is allowed to export wheat, there is an export duty levied by the Government. So everybody in Bhopal can get wheat at the rate of rupees five a maund—a seer being of rupees 96 and not of 80. The other method which I would like to call for the present, the Rampur method and that is this: the Government purchased last year about ten per cent of the requirements and kept the wheat at different places. The moment the prices began to rise, the Government began to sell that wheat in certain quantities and the result was that the prices went down at once and the grain came out in the market. This continued up to the present moment. The price of wheat is about the same as it was at the harvest time. They had no shortage. These are the two ways by which you can remove the evil. But, Sir, the Government of India do not want to adopt either of the two methods. They had their special policy and they call it "control system". This system is devised and praised by those who are being benefited by it.

Now, I should like to point out that so far as the control of wheat is concerned we should clearly define the duty and functions of the Government of India, Provincial Governments and District Authorities. I think if these things are done and followed properly there may probably be some good done to the general public during the coming year. Now, the Government of India ought to lay down the policy. They should fix the quantity of export. It is the Government of India alone which can decide this factor. They should determine the requirements for military purposes and they alone can do so. They are the right person to impose control on the movement of grains from one province to another. The Government of India should be the clearance house of wheat between Provinces. No person should be allowed to take from one Province to another without reference to the Government of India. They should prescribe the penalty for the misuse of the rules. The penalty should be severe and should have deterrent effect. At present the penalty is written off if a person subscribed to the war fund a sum of, say Rs. 2,000 or so and the accused is let off easily. I call this civilised corruption. This ought not to be allowed.

Mr. Jamnadas M. Mehta: It is not civilised, but barbarous.

Dr. Sir Zia Uddin Ahmad: A minimum penalty ought to be fixed by the Government of India and this should be sufficiently high so that it may have a deterrent effect. These are the points which come within the province of the Central Government. The Central Government should also keep statistics of the produce and requirements of the Provinces, districts and Indian States.

Now, coming to duties and functions of the Provinces, they ought to maintain a Department under them and they should know the exact production of each district. They must control the movement from one district to another. We have been accustomed to be almost self-sufficient in each district. This has been so for ages, on account of transport difficulties. In exceptional cases, in particular towns owing to abnormally low rainfall, some necessity might arise to get wheat or rice from outside the district. At present shortage arises because the dealers in one district export the entire quantity of wheat to outside places and thus shortage is created artificially. If this export is controlled from the outset, then shortage will be minimised. The Provinces should also keep a register of the entire stock in their Provinces. They should be able to tell the Government of India which are the

surplus districts and how much they could supply the Government of India for export and military requirements. The quota allowed to the Provinces for export for military requirements should be determined by the Government of India, but purchases should be made through the District Magistrates and not by the Government of India through their contractors. The moment the contractors come into the field, they upset the market price; they have the sanction of the military authorities and the District Magistrate will have to abide by their word.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): You mean contractors for military purposes?

Dr. Sir Zia Uddin Ahmad: Yes, military contractors. They will upset the arrangements of District Magistrates. The District Magistrate should take stock of the products in his own district, in each tahsil and taluqa. The Government of India and the Provincial Governments ought to fix price limits and within those limits, the District Magistrates will determine the price to be fixed in their own districts. The District Magistrate, on behalf of the Provincial Government, should purchase from 10 to 20 per cent. of the requirements of each district and should keep them in the same way as the Rampur State has done which I just now described. In that case, the stock which has been purchased by District Magistrates can be utilised in the town areas of the district, because the villagers will never be badly off as far as foodstuffs are concerned. It is only the people of the bigger town who are affected. If these stocks are kept with the landlords, or with the stockists on commission basis they can be brought out when necessity arises. In this way, the stocks will be equalised throughout the year.

In the distribution of grains, we have many complaints, and this is a point which the Government of India ought to consider in consultation with representatives of consumers. The Government are in the habit of consulting only those who hold stocks of grains. They should also consult the consumers. Now, the interests of the consumers are absolutely neglected. As far as the Commerce Department is concerned, they always invite the opinions of merchants and dealers, but very seldom they consult the opinion of the consumers. In this sense, I think the Labour Department should protest, because the Labour Department is expected to deal with and look after the interests of Labour, and whether they do so or not is to be seen later on.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is over.

Dr. Sir Zia Uddin Ahmad: I will conclude by saying a word about standard cloth. If you leave it to merchants, they will never expedite the supply of standard cloths. The Government of India should definitely say that so much percentage of the production ought to be reserved for standard cloth, its price should be fixed at a small margin of profit and standard cloth should be distributed among the people. If you ask the Punjab to give food to Bombay, they will expect in return standard cloth. If Bombay refuses to give standard cloth to Punjab and U. P. then they will retort by saying, you keep the cloth and feed yourself on cloth and currency notes which you have accumulated by exploiting the consumers. The Government of India are the clearance house, if they take an article from one province and they should supply other articles produced by other provinces at reasonable prices.

Mr. K. C. Neogy: Sir, I am very sorry to speak in the absence of the Honourable Member for War Transport. To my mind, his half-hearted reference to coal as a low priced commodity, in his speech while introducing the Railway Budget, partially explains the difficulties that have been felt in regard to the supply of coal and coke. My Honourable friend's remarks refer to what he said

[Mr. K. C. Neogy.]

were technical reasons which had led to the shortage of wagons. The House has absolutely no idea, I take it, as to the extent to which this shortage has been allowed to go. I put a few questions the other day in order to be able to judge the situation as regards the supply of wagons for coal, and answering my questions, the Honourable Sir Edward Benthall laid on the table certain statistical statements. From these statements, it appears that during 1941, coal booked under public supply, which I may tell the House includes fuel for domestic consumption, as well as coal for small industries which do not enjoy a high priority, coal booked under public supply in 1941 represented 1,96,617 wagons in the up direction; as against that in the complete year 1942, the number of wagons available in the up direction was 37,838, that is to say, one-fifth of what the position was in 1941. Then take the down direction, the wagons available for public supply in the year 1941 represented 1,74,767 and in the year 1942, the figure dwindled to 51,035, or one-third of the number of wagons that were available in 1941. The Honourable Member for War Transport owes an explanation to this House as to how this extraordinary shortage came about. I dare say the technical reasons which he mentions are not sufficient to explain this kind of drastic reduction in the supply of wagons on which depends the supply of coke and coal for domestic consumption as well as the small industries. Sir, I should not like to go more into details in this connection because I hope to have an opportunity of debating this point at greater length in connection with the railway budget. But, Sir taking up another statement made by him in reply to a question of mine, it appears that with effect from January this year there was a change in the system of the distribution of wagons for coal. From the 1st of January was introduced what has been termed the 'Provincial Quota System' under which certain allotments of wagons are made to the different provinces by the Controller of Coal Supply, it being left to the provincial authorities themselves to regulate this allotment as best as they may in regard to the distribution of the coal. Now, Sir, this is the statement that he made as regards the number of wagons that had been sanctioned and the number of wagons that formed the monthly quota province by province. The monthly quota fixed for Bengal under that scheme is 3,600 wagons against which from the 1st of January to the 15th of January only 623 wagons were actually sanctioned. It may be said that this was due to the difficulties which Bengal was experiencing at the time due to the Japanese bombing, in so far as the traders in certain cases were not available and the machinery could not be put into operation. Now, let us take up the other provinces. Take the case of Bihar: The monthly quota of wagons was fixed at 1,050 against which up to the 15th of January the number of wagons actually sanctioned was 320—less than one-third. Take the Punjab: The quota was 1,220—I may tell the House that this quota includes Delhi; when they refer to the Punjab, they include Delhi for this particular purpose—against which up to the 15th of January 243 wagons were actually sanctioned. Take the case of Bombay: 600 represented the monthly quota as against which 55 wagons were actually sanctioned up to the 15th of January. As regards my Honourable friend Dr. Ziauddin's province, with which I have great sympathy in his present difficulties, the monthly quota sanctioned was 900, and what do you think was the number actually sanctioned as available? 'Nil' up to the 15th of January.

Now, Sir, it is more than 'technical difficulties' that are responsible for this kind of negligence, if nothing worse. I should like to take this opportunity of mentioning that the Controller of Coal Supplies, who has been placed in charge of the distribution of wagons, enjoys the confidence of the trade. Mr. Farukh is his name and I have never met him, but people who have dealings with him have nothing but praise for him. He is a man of ability, integrity and tact and if things have gone wrong it is because he has not been allowed a free hand, or because his recommendations have not been carried out in full. In these

matters of control, the first essential is to choose the right man, and here we have got the right man according to the reports which I have received from various quarters, but perhaps he is not being allowed to function properly. I am in a position to state that in defying his instructions some of these provinces adopted methods of distribution of coal which were ultimately responsible for the mismanagement, the shortage of supply, and the high prices that rule. I understand that in defiance of his recommendations certain provinces, including Delhi province, appointed banyans for the purpose of distributing coal, instead of relying on the pre-existing machinery of supply, namely, the normal trade channels. I should very much like my Honourable friend, Sir Henry Richardson, to undertake an enquiry as to the quantity of palm oil that is being used as a necessary lubricant of the control machinery.

Now, Sir, let us come to prices. I have in my hand a statement which the Honourable the Commerce Member made in reply to certain questions of mine the other day in connection with the high prices of coal. My Honourable friend, the Member for War Transport, said that for high prices merchants were responsible because they thought that this shortage of wagons gave them a chance for profiteering. Now, Sir, this is what I find in the statement made by the Honourable the Commerce Member as regards Calcutta. "So far as Calcutta is concerned" reads his reply, "the most potent factor was the abnormal conditions which prevailed from about the 21st of December which resulted in the disappearance of large number of dealers, delays in placing contract, and in unloading coal from wagons and in distributing from depots. Elsewhere among contributory causes, were the shortage of wagons and profiteering." So far as Calcutta is concerned, I take it that the Honourable the Commerce Member does not think that profiteering played any very large part.

Now I should like to give the House an idea about the range of prices. Sir, in Bombay I find between December 3rd and December 31st the wholesale price of coal ranged between 0-13-0 annas and Rs. 1-2-0 per maund. From January 7th to January 21st the prices ranged between Rs. 1-4-0 and Rs. 1-5-0. Now, take the case of Karachi: Between January 2nd and January 23rd the wholesale price was stationary at Rs. 2-2-0. Taking the case of Nagpur, no quotations are available for December, but from January 2nd to January 16th the price remained fixed at Rs. 1-11-0. Coming to Calcutta, between 5th of December and the 19th of December, that is to say, before bombing actually started, the wholesale price varied between Rs. 5-8-0 to Rs. 7-8-0. If the Honourable the Commerce Member does not think profiteering to be at the bottom of this—as I take it he does not, judging from his statement—then it was definitely a shortage of wagons that was responsible for forcing up the price like that before the bombing actually started. Then, between 2nd and the 30th of January the wholesale price in Calcutta has varied between Rs. 6 per maund and Rs. 7-8-0 per maund.

Mr. Hooseinbhoj A. Lalljee: Does the Honourable Member know whether the Bombay maund is of 28 lbs. and not of 82 lbs?

Mr. K. C. Neogy: It must be assumed to be the standard maund when the Government makes a statement like this.

Coming to Delhi, the figure for 15th December is Rs. 2-12-0 a maund, and on the 15th January the price shot up to Rs. 4 a maund, but I may tell the House that I purchased coke early in January at Rs. 5-2-0 a maund, and from January 18th the price mentioned is Rs. 1-8-0 a maund though at the present moment no coke is available. So far as the Calcutta price is concerned I know

3 P.M. that the control price of coke has been fixed at Rs. 1-2-0 a maund ex-Railway depot, although just before the Session started, when I was in Calcutta, I could not secure any supplies for my own household, even though I had agreed to pay up to Rs. 4 a maund. But that is not the point on which I am at the present moment. How has this particular price been arrived at? Now, Sir, I hold in my hand a notification by the Controller of

[Mr. K. C. Neogy.]

Coal Distribution, in which he informed the public that the coal trade (I am quoting from it) had agreed to the following maximum prices for coal:

Hard coke	Rs. 25 per ton f. o. r. colliery siding.
Soft coke	Rs. 16 „ „ ditto.
Other coal	Rs. 12 „ „ ditto.

Now, Sir, take the case of soft coke. Soft coke is put at Rs. 16 f. o. r. colliery siding according to the agreement of the coal trade itself as advertised by the Controller of Coal Supplies. Railway freight from the railway colliery siding to Calcutta is a fixed figure of Rs. 4-13-0 a ton. The present unloading and depot charges represent eight annas a ton. Therefore in all, when the coke actually comes to the depot, it costs the depot holders Rs. 21-5-0 a ton. I must here pause and admit that it is not the full quantity of a ton that he actually gets. What he gets is something less, which is 24 maunds, as representing a ton. Therefore for 24 maunds of soft coke he has to pay Rs. 21-5-0. But according to the wholesale price fixed under the Government of Bengal's orders, he would be getting Rs. 27 as the price of 24 maunds of soft coke at the rate of Rs. 1-2-0, which leaves a margin of profit of Rs. 5-11-0 per ton, while the average maximum profit which the trade could ever dream of getting was never more than Re. 1. As a matter of fact it was very much less. The profit used to be between eight annas and a rupee a ton, against which this generous Government of Bengal fixes a profit of Rs. 5-11-0 a ton. I should not like to make any comments on this though we have heard stories as to how the price came to be fixed, but even then, if coke was actually available at this figure, one would not perhaps have minded, but it is not so unfortunately.

Sir, I should have liked to deal with the other questions, but the time that I have been left with is too short to enable me to do anything like justice to the other points involved in this motion.

Now, there is one general observation which I should like to make and it is this. I do not doubt the sincerity of the Honourable Member in charge when he said that he welcomed this debate, but I cannot help feeling that this House deserved better treatment. It is only after certain motions of adjournment had been tabled that the Government agreed to set apart some time for a discussion of this all important question. This is, of course, how the House has been treated consistently in this as well as other matters. Now, Sir, during the last Session non-official Members initiated a general discussion of the question regarding food supplies and price control, and there was a specific motion of adjournment in this House dealing with the question of supply of wheat. Any decent Government in the world would have taken the Legislature into its confidence with regard to the vital issues involved in the question. But what do we find was done? The Legislative Assembly had its last meeting on the 2nd of April . . .

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

Mr. K. C. Neogy: We find that on the 6th April the Honourable Member in charge, who was then Member in charge of Education, Health and Lands, holding his first food production conference, and elaborating his plans and making a statement as regards the position. The invitations for that conference must have been sent out earlier, during the period while the Assembly was in Session, and yet the Assembly was ignored.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): My intervention in this debate will be confined to the subject of drugs and of food production, and though I am taking my coat off I wish to assure the House that my intentions are entirely non-belligerent.

My Honourable friend, Mr. Deshmukh, seems to think that there is a policy on the part of Government to discourage the production of drugs in India. In fact, I think he said that it was the policy of Government to obstruct drug

production. That would be a sufficiently remarkable policy in view of the shipping position. As a matter of fact, Government are on the look out all the time for indigenous sources of drugs. The Director General of the Indian Medical Service, as a Supply Officer, has a special establishment called the Production Planning Department, with branches covering drugs, dressings, and instruments, and whenever a possible source of supply in India is reported, what is called an "educational" order is placed, and if the firm can produce the drugs or the instruments up to standard and in quantities that justify it, then orders are placed. Without going into details, I can assure the House that there has been in this way a very remarkable increase in the number of essential products that are now produced in India which were not produced in India before the war. Many of these drugs are now, so far as Government Departments, civil and military, in India are concerned, obtained entirely from Indian sources. If they are not obtained entirely from Indian sources, it is because the present supply from those sources is not sufficient. One reason that prevents our obtaining all the drugs that are required on the civil and military side of Government from Indian sources is the absence of the raw materials in India. I will mention two groups: one is the mercury group, to which, I think, belongs that intriguing drug calomel. The Geological Survey tell us that there is no mercury in India. Another group is the bismuth group. I believe there is no indigenous supply of bismuth in India. It obviously would not be worth while, facing the great difficulties of war time, to try to procure raw materials from abroad in order to establish the manufacture of the drugs of these two groups in India, if the raw materials are never likely to be available in India.

Then the other reason why we may not be able to manufacture any particular drug in India is not the absence of basic raw materials, but the absence of the necessary plant or of chemicals which are required for the treatment of that basic raw material to produce the drug in question. I have in mind. . .

Pandit Lakshmi Kanta Maitra: Will the Honourable Member kindly enlighten us on this point? Why is it that the Drugs Act which was passed by this Legislature two or three years ago has not been given effect to in the provinces?

Mr. J. D. Tyson: I do not think that question arises at all. . . .

Pandit Lakshmi Kanta Maitra: It does. You have done nothing to prevent the spread of spurious drugs, which was the main purpose of the Drugs Act.

Mr. J. D. Tyson: The purpose of the Drugs Act was not particularly to increase production of drugs. I grant it certainly was intended to control spurious drugs. I was speaking about the very important coal-tar group of products. It falls really into two groups—Phenol and its less complex derivatives, and the second group is the more complex derivatives. We have got the basic raw material—a certain quantity of it anyhow—in India for manufacturing this group of products; and when we get the necessary plant—and we hope to have it—it will be possible to manufacture the less complicated products—those that go to the manufacture of aspirin, for example, will be made available. But as regards the more complex ones, it is necessary to have a whole series of highly manufactured additional chemicals, some of which are not available in India. Also for manufacture on a commercial basis, it is necessary to have very special equipment.

Pandit Lakshmi Kanta Maitra: What about the quinine position?

Mr. J. D. Tyson: I may perhaps illustrate the difficulty in the case of two drugs which have been referred to by Mr. Deshmukh, and in that connection I shall make a passing reference to the quinine position. Sulphathiazol was the first of these products. It is covered at present by a British India patent. It has been found efficacious in the treatment of plague and the Bombay Government have moved the Government of India under the Indian Patents

[Mr. J. D. Tyson.]

Act for a license for the manufacture of this drug under section 22 of that Act which provides that any person interested might present a petition to the Governor General in Council alleging that the reasonable requirements of the public with regard to any patented invention have not been satisfied and praying for the grant of a compulsory license or in the alternative for the revocation of the patent. . . .

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): May I know what has been the result of that?

Mr. J. D. Tyson: The application has been referred to the High Court of Calcutta as is provided in that section; and we must await their decision; but I would only say that if the Honourable High Court of Calcutta decides to give the petitioning Government a licence I still fear that they will have great difficulty in manufacturing the drug, because one of the principal requirements, Chlorosulphonic acid is not obtainable in any quantity in India. . . .

Mr. Govind V. Deshmukh: Is the Honourable Member aware that this drug is not now manufactured in the United Kingdom; it is manufactured in the United States and is imported into India from those places?

Mr. J. D. Tyson: It has to be imported; that is the whole point. Then take atebirin. We are not affected in this case by any patent. It is a German invention, and atebirin is one of the same group. The Bombay Government applied quite a long time ago for facilities to manufacture 300 lbs. of atebirin. . .

Mr. Govind V. Deshmukh: Is any application necessary, because in the war, the patent of any enemy firm automatically lapses?

Mr. J. D. Tyson: I have said that no question of patent arises in this case; but they wanted to spend a good deal of money and it is a "section 93" province and it was not in their original budget and so they had to come up to the Government of India for permission. On the advice of the Drugs Supply Committee who pointed out that out of 31 ingredients, 12 would have to be imported—12 tons of chemicals to manufacture 300 lbs. of the product—we decided that shipping space could be better utilised. After the fall of Java which cut off our supplies of quinine, we re-examined the question. The Bombay Government then wanted to manufacture about 500 lbs. of atebirin, but they said they would require some additional equipment; they said they could manufacture at the Haffkine Institute up to 2,000 lbs. but for that they wanted a great deal more equipment, all of which would have to be got from outside. Now, it is very definitely Government's policy in the plan for dealing with the quinine shortage, to utilise atebirin. We have to economise in our quinine supply by using atebirin wherever at present quinine is used under medical supervision; that is to say, in hospitals. We cannot go further than that, because atebirin is a new drug, in some ways perhaps rather a dangerous drug, and it should only at this stage be administered under medical supervision. But we have placed orders for atebirin to replace the quinine that is administered under direct medical supervision; and the kind of figure that we have in mind is between 17,000 and 20,000 lbs. of atebirin. I ask, what is 300 pounds or 500 pounds, here or there, when we are dealing with figures like 17,000 and 20,000 pounds? This drug is being manufactured on a huge scale in the United States of America and on a big scale in the United Kingdom; and at a time when we have to conserve every ton of shipping space, it is quite clear that supplies must be obtained in the smallest possible bulk. . .

Pandit Lakshmi Kanta Maitra: How much do you expect to get?

Mr. J. D. Tyson: We hope to get about 20,000 pounds of atebirin. . . .

Pandit Lakshmi Kanta Maitra: In the present year?

Mr. J. D. Tyson: Yes, in the present year. We have no case for pressing for shipping space for the equipment and the drugs that will be necessary to

enable this atebirin to be manufactured on a commercial scale. We cannot even press for it as a research matter. The process of manufacture is involved; it is difficult, it may even be dangerous; but there is no mystery about it. It is not a research matter. As a matter of fact atebirin, and I think, sulphathiozol, have been manufactured on a small scale, on a laboratory scale, in India. However, to encourage a pioneer effort, we are prepared to try and facilitate the manufacture of a certain amount of atebirin at the Haffkine Institute, the product to be used in Government institutions only, so that we shall not come into any possible conflict with the trade, if we can get the subsidiary chemicals and equipment that will be necessary before they can come into production. . .

Mr. Govind V. Deshmukh: Why was this manufacture of atebirin at the Haffkine Institute in Bombay discontinued?

Mr. J. D. Tyson: I do not know that it was ever really begun; they wanted to manufacture 300 pounds: it is possible for them to have manufactured a pound or so, but they did not manufacture anything like 300 pounds. It was for that that they wanted plant and chemicals.

I come now to the question of foodstuffs. The department for which I speak in this House is responsible for the production side of the food grains problem, a responsibility which, of course, we share with, and largely discharge through, the provinces. Until the loss of Burma, I think I am correct in saying that there was no sign of any shortage of food in India. Our "grow more food" campaign, therefore, began after the loss of Burma, and, in fact, after last year's *rabi* crops were in the ground. It could only, therefore, take effect in respect of the *kharif* crops that have been reaped within the last few months. As a result of that campaign, in the *kharif* season alone—the *rabi* figures not yet being available—81 lakhs of acres, over 8 million acres, of land not previously under food crops were brought under food. About half of that was transferred from cotton to food crops. It is true that owing to the failure of the monsoon in some places and cyclones in others, not all that sowing came to harvest. That is a kind of thing that happens year after year in India, and India is not peculiar in that in the world. In the *kharif* alone we did produce nearly three million more tons of food than was produced in the *kharif* of the previous year in spite of their being a shortage of rice in Bengal of very nearly three million tons. I think that the Government of India and the Provincial Governments and States which have collaborated to obtain that result are entitled to claim that to that extent they have mitigated a difficult situation.

Last year we proceeded, at rather short notice, on the principle of asking Provinces and States what they thought they could do in the way of increasing food production. This year we have gone further. We have asked them to undertake an "all out" production, the very maximum production possible. To ensure that they realise what is expected of them we have held out before them certain targets which we expect them to attain. Those targets are in nearly all cases in line with the maximum that they have ever produced in that particular kind of crop. In order also that no desirable scheme should be omitted merely for lack of funds, we have offered them financial assistance from the centre for approved schemes, and schemes are coming in now for examination. We have also arranged to create a post of Director of Agricultural Production for Food, a post to be filled by an officer of the status of a Director of Agriculture, who will advise us, and, if the provinces so wish, advise the provinces about schemes.

Then as regards vegetables. I think Mr. Deshmukh is under the impression that we are exporting large quantities of vegetable seeds abroad. I can reassure him that we are not. We have always exported a certain quantity of vegetable seeds, especially onions, to countries where there is a large Indian population, but when we found some months ago that private firms were exporting small quantities, very small consignments of vegetable seeds, we

[Mr. J. D. Tyson.]

placed a ban on the export of all seeds except oilseeds, without reference to the Government of India, and such export is only allowed after we have satisfied ourselves that it can be allowed without danger to our own seed position. In fact, we are taking steps to import vegetable seeds from America for our own purposes. I want to say one thing in conclusion about vegetables. I think pressure on the vegetable markets in India admittedly comes entirely from the presence in our midst, the welcome presence in our midst, of very large numbers of troops. Ordinarily, the peasantry in India grow their own vegetable and people in the urban areas depend for their vegetable supply on market gardeners to bring in their vegetables from the suburbs.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

Mr. J. D. Tyson: I shall just say two words. We propose therefore to meet this difficulty by mass producing, getting provinces to produce the vegetables in mass for the military both for dehydrating and for eating fresh. And if we can take the military demand, which is admittedly a very great demand, off the market, we believe that the ordinary supply position will be restored, in fact, rather improved because there are more vegetables being grown under the stimulus of high prices.

Sir Muhammad Yamin Khan: I want to make a proposal to Government, and if they agree, there should be another day allotted for this debate, because we think that sufficient debate has not taken place and the public point of view has not come sufficiently before the Government. We have had the points of view of the mercantile community represented in this House.

Mr. Jamnadas M. Mehta: The workers' point of view has not been placed.

Sir Muhammad Yamin Khan: Neither the workers' nor the public's point of view has come out sufficiently before the Government. To meet that difficulty, another day may be given.

Mr. Chairman (Syed Ghulam Bhik Nairang): This point may be placed before the President on his return.

Sir Muhammad Yamin Khan: I am putting it before the Government.

Mr. E. L. C. Gwilt (Bombay : European) : Sir, as the Leader of my Group has discussed the subject of food in his speech of day before yesterday, I will mainly confine myself to other matters implicit in the motion. I would like to commence with the subject of dearness living allowance which has, in some respects, been discussed during the debate upon Mr. Jamnadas Mehta's adjournment motion.

Maulvi Muhammad Abdul Ghani (Tirhut Division : Muhammadan) : On a point of order, Sir. How is dearness allowance admissible on this motion?

Mr. E. L. C. Gwilt: If the Honourable Member will allow me to continue my speech, I shall be able to show how it is relevant. I was saying that the question of dearness living allowance.

Mr. Chairman (Syed Ghulam Bhik Nairang) : I hold that the matter is irrelevant to this discussion

Mr. E. L. C. Gwilt: I bow to your ruling, Sir, but I think it has a definite bearing on inflation and the question of food and

Mr. Jamnadas M. Mehta: Without money you cannot get food; so both go together.

Mr. E. L. C. Gwilt: I will deal with it on a later occasion. Now, I would like to deal with the question of price control, and particularly with that of drugs. Once there is control of what I term primary distribution,—and this applies to food as well as drugs or any product for that matter—I maintain there can be a control of the price asked by the retailer provided that Government is sufficiently determined to control that price.

I appreciate only too well that in normal times the price is fixed by supply and demand, but so far as drugs are concerned, they are either manufactured in the country, imported through agents who are representatives of the manufacturers overseas, or by dealers who make their purchases through indenting houses.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I think I am correct in saying that no reputable manufacturer, certainly none of the great Pharmaceutical Houses of International repute, have raised their prices disproportionately to the increases in their cost of selling, but the Government will be as well aware as myself that profiteering of the most gross order has been taking place in the retail trade of this country.

We all know of the reasons of the shortage of quinine and that the main reason is due to the fact that Java is in the hands of the Japanese, but, Sir, I would ask what manner of man is he who, as my Honourable friend, Mr. Deshmukh, has asked, corners quinine to make his fortune in a country where malaria kills hundred of thousands of souls a year or insulin, or the hundred and one other therapeutics upon which the life of man depends? What manner of man is he and what punishment does he deserve?

Had my Honourable friend Mr. Neogy, with all his knowledge or parliamentary finesse, tabled first a resolution calling for the severest penalties for these individuals and that the Government of India Act, if necessary, be amended to ensure uniformity of action between Central and Provincial Governments, before calling for the House to be dissolved, I venture to think the country would have cause to be more grateful to him.

My Honourable friend, Mr. Jamnadas Mehta, a day or two ago demanded that profiteers be hanged. That is his opinion, and his sincerity cannot be questioned, for it will be recalled that he was speaking upon, and supporting, a resolution condemning alleged excesses. He is entitled to his opinion but I should like to tell the House of some of the punishments meted out to those individuals in Great Britain who disobey control orders. The firm of Woodlands Chemists and three Directors were fined £40,000 for exceeding control orders by £28,338.

Pandit Lakshmi Kanta Maitra: We do not know, Sir, how this is relevant to the motion under discussion.

Mr. President (The Honourable Sir Abdur Rahim): I do not think the Honourable Member can now discuss what was said on Resolutions that have already been moved in the House. The Honourable Member must confine himself to the motion before the House and not go into any questions which arose on a previous debate.

Mr. E. L. C. Gwilt: Well, Sir, I make my submission that the control of price has a definite bearing on drugs.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member can make it relevant to the motion, then it is all right.

Mr. E. L. C. Gwilt: I commenced by talking about the dearness allowance which I thought was relevant to the issue, but I was ruled out of order by the Chairman. However, I will continue if I may. I was saying that the firm of Woodlands Chemists and three Directors were fined £40,000 for exceeding control orders by £28,338. The United Chemists Association of Cheltenham were fined £10,000 and these merely for exceeding of quotas in the sales of Cosmetics, and lest the House should think it is only the large concerns against whom the British Government have taken action, I would quote the case of a stall holder who was fined £20 and £5 costs for overcharging four pence halfpenny (about four annas) for the price of a chicken. For offences contravening Food Control Orders one man has recently been sent to penal servitude for four years and fined £2,000, another to eighteen months imprisonment and fined £2,000.

[Mr. E. L. C. Gwilt.]

I have heard it argued that despite control orders in Great Britain black markets exist. I have just given evidence that they do, but only at peril to those who trade in them, and when they are caught the penalties must make them wonder whether the racket has been worth while and, as will be clear to anyone who reads the English papers, black markets are the exception in England. In India they are unfortunately the rule.

Unfortunately time at my disposal is insufficient for me to explain a method whereby the price of essential drugs can, I think, be controlled even in this country, but I shall be grateful if the Honourable the Commerce Member will give me the opportunity of discussing the matter with him on some other occasion. The scheme is not infallible—no scheme is—but its success is dependent upon penalties for those who disregard control, and I venture to think that if severe action were taken tomorrow against those who indulge in anti-social activities and profiteering in essential drugs, the price of a large number of those medications upon which life depends would be substantially reduced the day after.

Before I finish, Sir, I would like to give one of the reasons where authority is responsible for some of the shortage in drugs and consequent profiteering and one which I feel cannot have escaped the notice of the Honourable the Commerce Member. If the Army and Supply Departments are short of a drug, they have—and very properly—the power to requisition the stocks of a commercial concern. I submit, Sir, that should such authority do so and the drugs have been imported, the Commerce Department should, on production of the receipt of such goods, issue immediately a licence for their replacement.

I would, however, like to point out that when the same drugs are repeatedly requisitioned, it is indicative of the fact that there is *prima facie* evidence that the forecasting arrangements of the authority concerned are inefficient and that Government are treating commerce as their stockists.

I make one last plea. The Government is importing wheat; I trust it will never be permitted to fall into the hands of speculators, for every bushel imported into India to keep down speculative prices means that that amount less of war material can be shipped to this country, and England, which knows what sacrifice means, loses an equivalent amount of shipping space. It is perhaps not generally realised that whether a ship is sunk in Arctic waters or in the Indian ocean, the effect upon the food situation in England, which is very much more acute than I hope it will ever be in this country, is immediate.

Sir Muhammad Yamin Khan: Sir, before you resumed the Chair, I had made a suggestion, which was postponed till your arrival, that the Government be pleased to allot another day for the discussion of food question

Mr. President (The Honourable Sir Abdur Rahim): We will go on with the debate for the present.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadian Urban): All the Parties have agreed and the Honourable the Food Member has also agreed that another day may be given.

Mr. President (The Honourable Sir Abdur Rahim): That I do not know. We will go on with the discussion. I understand, **Dr. Banerjee** will not speak.

Dr. P. N. Banerjee: Not today, Sir.

Mr. N. M. Joshi: Sir, although Government has been very generous in allotting one more day, I propose to take advantage of this opportunity today because I feel it is better to take off my chest what I have to say instead of keeping it weighing on my mind. Sir, I propose to take a general, though very brief, survey of the food situation in India. I feel that the whole situation is due to the failure of Government to realise the importance of the supply of food to the civilian population. It is also the failure of Government to make plans beforehand to meet the difficulty which was bound to arise. Sir, a

little thought would have told the Government that in all countries on account of the war difficulties regarding the supply of food had arisen. Even in America these difficulties have been experienced soon after the beginning of the war with Japan. I, therefore, feel that the real responsibility for the present situation is upon the Government of India—their failure to realize the importance of the food supply and failure to plan how to meet them. Sir, the Government of India should have shown more foresight in planning to meet the food situation. The Honourable Member himself has admitted, that people in India have not got much confidence in this Government and the responsibility for the present situation is attributed to that cause. Secondly, the Honourable Member himself has admitted that even in normal times India was not a surplus country as regards food. Therefore, the Government should have made greater effort to meet the situation which was bound to arise. I, therefore, feel that Government of India should have made plans from the very beginning of the war to meet the food situation. They should have, in the first place, thought of increasing the food supply by increasing the production of food-grains, they should have shown foresight and made a plan in time for increasing the production of this country. The Honourable Member himself admitted that 'grow more food and fodder' was taken after Burma was taken by the Japanese. Sir, I would like the Government, at least, now to make serious efforts to increase the production of food-supplies in this country. I was glad to hear that the Government of India is now thinking of appointing a special officer.

An Honourable Member: They have decided.

Mr. N. M. Joshi: I would like the Government of India to take up this question very seriously. Let them have not only one officer in the Food Department looking after the question of food but establish a strong section in the Food Department. Sir, I would like the Government of India to issue instructions to the Provincial Governments to grow more food. They must make a thorough enquiry and set up necessary machinery so that our food supplies will be increased.

Then, Sir, the next question that I would like to take up is the question of export. There again the Government of India had shown lack of appreciation of the fact that difficulty as regards the food-stuff was bound to arise. Therefore they should have taken special steps to stop export of food grain from this country long ago. They exported wheat to Arabia and to the Middle East. It could have been exported to Arabia and to the Middle East with as much ease from Australia as from India. Therefore they should not have exported wheat to Arabia and to the Middle East.

Then there is the question of export of textile goods. The Government of India has exported and still does export textile goods. Prices of textile goods in India have gone up three times and even the industrialists are not anxious to export their goods to foreign countries as the Government of India takes away from them 80 per cent. or something like that by taxation. I do not know why Government of India should be anxious to export textile goods at this time. I feel, Sir, that the administration of the control for export is also very weak in spite of the fact that the Government have got so many officers in that Department. In Bombay, permits are issued without much difficulty for exporting essential goods which are necessary for India.

Then there is the question of imports. We have just heard from Mr. Tyson about drugs. The Government of India can certainly give priority to the medicinal drugs over whisky and other drinks. There is enough quantity of whisky and other drinks in this country, while there is so much shortage of medicinal drugs. Now, Sir, I would come to the question of price control. In the matter of price control the policy of the Government of India has been all along that of vacillation and a dilatory one. They take lot of time to begin to control prices and when they began to control prices there again they hesitated and they established control over wheat leaving aside other essential articles of food with

[Mr. N. M. Joshi.]

the result the control of wheat was not successful on account of the inter-relation of the prices of different food grains. Then when the Government of India established control over wheat their effort as regards the enforcement was very weak. People began selling goods at higher prices in spite of controlled prices. Not only that the Government of India was so weak that their own Military Department purchased wheat at a much higher price than the prices fixed by the Government as controlled prices. I, therefore, feel that the Government of India should make up their mind as to whether control is a good thing or not, and if it is good they should enforce their controlled prices . . .

The Honourable Mr. M. S. Aney: What is the opinion of the Honourable Member?

Mr. N. M. Joshi: I shall give that immediately. I am definitely of opinion that during the war period we cannot do without control. I would suggest to the Government of India that they should not hesitate to take firm action against people who break law. Prices should have been controlled in all cases of food grain and other essential articles and the Government of India should have kept very heavy penalties for those who broke orders.

Then, Sir, Government again while controlling the prices did not follow up the process of control and regulation in securing supplies. If you merely control prices you are bound to have black markets. Government must, when they exercise control, take up every thing in their own hands. Here again the Government was very weak. Government should treat this country as one unit but the Government of India was weighed with the idea of Provincial Autonomy and instead of taking the work of supplies into their own hands they left it to the Provincial Governments. I think it was a great mistake. I am not suggesting that the Government of India should have appointed their own officers in the Provinces. Government of India could have certainly used the Provincial Officers as their own Officers. This could have been done and they should have done.

Then, again, Sir, the Government of India were very tender towards the commercial community. They followed the policy of allowing the traders to continue to have their share in the business of distributing food grains. I feel, Sir, that the Government were very wrong in that matter. I am not suggesting that they should have thrown these traders and merchants on the streets. They could have employed these merchants and traders as their own employees, if they liked. But it was a wrong thing to follow a weak policy as regards control. They should have taken the whole business of supply and also of distribution in their own hands.

Then, I come to the question of lifting of price control. The Government have made a great blunder in lifting price control for wheat. I feel that if Government had followed the right policy as regards their dealing with the Provinces, there would have been no necessity for lifting price control. The Government of India have been forced by the Government of the Punjab, in spite of what they say, to lift the price control. The black marketeers have won against this Government. Now, I come to the question of effect of lifting this price control. After all if you want the people to have sufficient food, you must give them that food at a price within the capacity of the people of this country. If you lift the control the price too will go up. It is no use your making the wheat available at a price, at which the people cannot purchase their food. If Government are prepared, they can do as the British people have done, namely, to give subsidies. If the market price is higher, the Government of Great Britain is willing to subsidise the business, but they fix reasonable prices and the consumers are not to pay more. The Government of India should give subsidies, if they lift price control.

Now comes the question of distribution. I feel that the right principle of distributing food grains in the country at such a time is according to the needs

of the people. A province which has surplus grain cannot have, on that account, the privilege of having more food grains than a Province which is deficient. There must be mutual co-operation between the Provinces. If Bombay is deficient in food, and if the Punjab has a surplus of food, then the Punjab must give her surplus to Bombay and Bombay, in return, must give her cloth to the Punjab. I, therefore, feel that the food grains available in the country should be distributed on the principle of the needs of the people and distributed in such a way that every individual should have equal share in the matter of food. In giving food you cannot make a distinction between an individual living in a surplus Province and an individual living in a deficient Province. I feel, Sir, that the Government of India have neglected this question of distribution entirely. Until recently the Government of India did nothing. You must, when your supply is not enough, introduce rationing. The Government of India neglected this question of rationing. They thought of it only recently, knowing full well that without rationing, you are not going to solve this problem. The Honourable the Commerce Member stated that the problem is an urban one and not a rural one. I feel that the Honourable the Commerce Member is not well informed on that subject. I know that the problem of securing food is as acute in villages as in urban areas. If he had stayed in Bombay for a little longer than he had stayed, he would have known that the population of Bombay is going up very rapidly on account of the mere fact that in Bombay the people can make a row and force the Government to get some food. If you cannot get the full quantity of food, you can at least get something in Bombay, but in the villages, in the districts, the people find it very difficult to get food and so they leave the villages and come to Bombay. I, therefore, feel that the Honourable the Commerce Member is not well informed when he says that food problem is confined only to urban areas and does not exist in rural areas. I have one suggestion to make to Government and it is this. Government may create a machinery to deal with this problem. They may have price control, they may also arrange for production of food and do the other things, but they lack in one thing. In India the Government of India have not got the confidence of the people and they also cannot secure the co-operation of the people and without having the confidence of the people and the co-operation of the people this problem is not likely to be solved. I know that in Bombay the Government of Bombay have opened Government grain shops and when they first started these shops, there were queues which they could not manage. When suggestions were made to them that they should secure the co-operation of the representatives of the people, the queues, to some extent, were less. I, therefore, suggest to the Government of India that although they may have a strong machinery, the Food Department, and a very capable Food Department, still if the problem is to be solved and people are to be satisfied as regards the solution of the problem, then they must create a machinery by which the confidence of the people and the co-operation of the people will be secured. I suggest to them that they should have a representative Council at the Centre. I am told that Government of India have got some kind of Advisory Council. I do not know what the constitution of that Council is. I suggest to them that they should make the Food Council a representative one. Your experts on the Food Council may be very good people, but they will not secure for you the confidence of the people. I also suggest to them this. that this representative machinery should be established at every stage and at every place. I know, Sir, that the Government of India and the Local Government are supplying large quantities of grain to industrial employers in this country. I know that although the employers have got grains, the workers are discontented because the employers refuse to have the advice of the representatives of the workers. This is necessary because ordinarily the workers have very little confidence in their employers and in India the people in general have got very little confidence in the Government. The

[Mr. N. M. Joshi.]

Honourable the Commerce Member himself has admitted that. I, therefore, suggest that in order to secure the co-operation of the people and the confidence of the people, they should establish representative organisations to advise them at every stage and in every place.

Mr. Frank R. Anthony (Nominated Non-Official): There is one aspect of this food situation which, although it has been touched upon by many of the speakers, I feel has not been sufficiently emphasised or clarified. We have heard the case of the businessmen put forward before the House. But I feel that the point of view of the consumer, and particularly of the poorer consumer has not received sufficient attention. One of the Honourable Members, I think it was Sir Henry Richardson, made a plea for a much firmer handling of hoarders and profiteers by Government. I would certainly endorse that plea, and I should like to attempt to elaborate and strengthen it. I feel that one of the darkest spots on Indian life today is the manner of its reaction to the war with regard to this question of the food situation. There has been and there still is an amazing lack of not only of business morality, but of common decency among large section of the business elements in this country. Unfortunately, Sir, it is poorer people who are suffering. The Honourable the Commerce Member told us that it is essentially the industrial and the urban population that is being affected, but he was corrected by an Honourable Member of this House and I am inclined to agree with that Honourable Member who told him that if anything the rural population is being affected as much, if not more than the urban population. The people in touch with rural conditions tell us, and I am not disposed to disbelieve them, they tell us that the agriculturist is in-

4 P.M.

creasingly faced with the grim prospect of grinding poverty, and that the labourers in the villages are today faced with the stark prospect of utter starvation. I believe, Sir, it was the Honourable Mr. Hooseinbhoy Laljee, who said that there is not really an absolute or natural shortage of food-stuff in this country. I agree with him. I am inclined to believe that this shortage is essentially an artificial and deliberately induced one. No thinking person can resist the conclusion that those who are handling the sale and the distribution of foodstuffs are indulging in the most ruthless hoarding, the most pitiless profiteering. Many Honourable Members today referred to the acute shortage of foodstuff in Calcutta. I was very recently in Calcutta, Sir, and I was told by the most reliable persons that during the recent panic-stricken exodus from Calcutta, which included many merchants, these merchants were offering huge hoarded stocks of cereals to anyone and practically at any price. I have served on several committees, and it is the same old sordid and tragic story in this country—profiteering, more profiteering, and still more profiteering. Devoid of civic consciousness, devoid of the elementary sense of duty that they owe to their country and particularly to their poorer fellow-countrymen, many of the businessmen in this country are minting fortunes out of the starving cries of India's poor, and it is unfortunately a problem which is assuming increasingly menacing proportions. Profiteering is being practised on an increasingly brazen scale. Profiteers have evolved a system of blackmail and coercion based on the threat of withholding supplies—the supplies necessary to life—from the average person, and these persons are, therefore, afraid to level charges against them. Any provisions for control, any provisions for any regulations with regard to the control of prices, will necessarily be futile and fall on barren ground unless they are backed up not only by the sanction of the law but, if necessary, Sir, by the terror of the law. And this problem constitutes an increasing menace to the Government. If Government persists in its present policy of drift, particularly if Government persists in its present policy of leniency, it will inevitably be overtaken by a situation which will ultimately be completely out of its control. The only way to bring these business freebooters to heel is to impose the most

drastic penal measures. We are living admittedly under the most unusual conditions and unusual conditions demand unusual measures. One Honourable Member said that profiteers should be hanged. If I had the time, I could probably make out an exceedingly good case for hanging people who indulge in this kind of hoarding and profiteering. But what do we find, unfortunately, in this country. We read of cases where merchants are prosecuted every day for hoarding and for profiteering, and in the next line we read of the imposition of the most ridiculously small fines, fines which, as Sir Henry Richardson remarked, have made Government a laughing-stock in this country. Do Government seriously believe, Sir, that these persons—small businessmen, big businessmen, whom I would call the national blood-suckers in this country—does Government seriously believe that these national blood-suckers mind paying fines, fines which at best represent a microscopic proportion of the murderous profits which they are extorting from the people? And, Sir, while I listened to this debate, I found few concrete suggestions made to Government to enable them, effectively, to meet this situation. If Government is even partially to find a solution to this problem, Government is bound to impose a compulsory jail sentence. This sentence can be left to the discretion of Government. But it is necessary, in order to call a halt to this profiteering, to impose a compulsory jail sentence on all profiteers and hoarders. Offer rewards for information leading to the discovery of hoarded stocks, confiscate all stocks belonging to those found guilty of hoarding, appoint special staffs to track down hoarders and profiteers. These measures Government can and should evolve and if Government fail to evolve and to adopt these and other measures, Government will inevitably expose itself to the charge that it is not prepared to adopt these measures because those who have vested interests in this matter and big businessmen, who are indulging in ruthless profiteering, are pulling the strings so as to influence Government to continue its present ineffective policy.

Sir, as I have said, we are living in unusual conditions and unusual measures are necessary to overcome these unusual conditions. If people in time of the war, when the nation is fighting for its very existence, do not spontaneously show a sense of business morality, a sense of civic duty, then these must be imposed, they must be induced, if necessary, by the most drastic legislative measures. Impose the most drastic penal provisions. Strike into the hearts of these persons the terror of the law, persons whose only God at present is the profit-motive. I say, Sir, and I say it emphatically, that the Government cannot, except to the peril of the whole country, Government cannot continue to play with this problem.

Mr. Jamnadas M. Mehta: Sir, the one thing that has been brought out during the two days debate is that there is no dearth of food in this country. It is not that enough food does not grow, or that it is less than in the years previous, or that even with the conquest of Burma the food supply of the country has become less. I have in my hand the figures of the food production of this country from 1932-33 to 1942-43 (the last year's figure is, of course, an estimate), and the average production of food in this country during those eleven years is forty-nine million tons. That is the average production of food in this country during the last 11 years. The war period is, on the other hand, singularly fortunate, when the average is, as I shall read it out, 53 millions, 50 millions, 53 millions and 52 millions. The average of four years is something like 52 millions. So the war period has produced more food by 3 million tons in this country than the average of the last 11 years. This broadly is the situation. Why is it then with so much production, larger by 3 million tons than the average of the previous 11 years; the public have waited for food, formed queues, and have gone to black markets, but have got part only of what they need at heavy cost and in most cases did not get what they wanted. The situation became very acute in October, 1941 and its seriousness has steadily grown since then. My Honourable friend, the Commerce Member, was then wrong in saying

[Mr. Jamnadas M. Mehta.]

that before Burma fell there was no trouble. Burma did not fall in October, 1941. Therefore, the only question is whether the State is in a position to see that the distribution of this food is done equitably among all the population. That is the only problem, and whatever stands in the way of that equitable distribution should be dealt with in an equitable manner. If the Government are exporting too much to foreign countries, that must be stopped. If the Government are giving too much to the military, that must be stopped. If the Government are winking at provincial cantankerousness, or so-called provincial autonomous governments, whose autonomy seems to figure so largely when they want to starve their neighbours; if there are hoarders; if there are profiteers—one and all should be dealt with impartially, with sole regard to the needs of the masses of the people.

But I am sorry to say that Government have failed in each and every respect. Government have the usual feeling that they know everything, and that anybody who is an outsider knows nothing. All that they have done is to appoint some Director, some Controller, some Deputy Controller. They have held conferences, they have issued communiques, they have appointed food advisory councils; the Honourable the Commerce Member has rushed from Bombay to Calcutta, Calcutta to Delhi and Delhi to Lahore. With all this, the food situation has not relaxed at all. Let this be borne in mind. The Government always say that they are fully alive to the situation. They are doing their best to relieve it. These are idle words when in a city like Bombay with 92 Government shops, before each of these shops is open the next morning. 500 people make their beds there so that they may get their food the next morning; when every one has in this way to spend 10 to 12 hours for getting food, and thereby losing a full working day, with the food supply of the country constant, what have you to say of Government's policy? I am not at all impressed by all these appointments of Controllers and Directors. I am not at all impressed by these councils and communiques and conferences. The net result of all this has been nil. The situation of food supply was worse in 1936, even before Burma was lost, and still there was no such dearth as unfortunately has happened on account of this total failure of Government to retrieve the situation.

Now, one reason given has been that the transport service of the country was not able to cope with the transport of food. That was perhaps true in the year 1940, and 1941 to some extent, but as soon as the railways awoke to the needs of the food situation in the country there has been a real improvement. All I know of railways is that sufficient equipment is placed at the disposal of anybody who wants to transport food. I do not know about fuel. I do know about food. Of course, you cannot cook food without fuel. Therefore, unless the fuel supply is there the food supply is useless. But I do not think the railways can be blamed for the impossibility of getting food, since at least during the last twelve or fifteen months the railways have been fully alive to the needs of the transport of food, and the Honourable the Member for War Transport gave us an assurance the day before yesterday that the food will in any case be transported.

About export of food to foreign countries. I find that there used to be before the war something like 4,500,000 tons of food exported to foreign countries, and since the war that amount has increased by about 200,000 tons. But the ordinary trade having been closed to seaborne traffic, the stoppage of these 400,000 tons of food for export purposes became automatic. It could not be transported. So why did Government allow it to be transported to other countries while this country was not getting food? Because the Government did not realise that their policy of food distribution was absolutely chaotic, that there would surely be utter chaos in the distribution of food as time went, and that a few hundred thousand tons of food supplies to our allies and to our friends in the Middle East perhaps did not matter. That was probably at the

bottom of their allowing export of foodstuffs to foreign countries, but now at least I hope that, when we are starving, the Government will not export any food to foreign countries until the food situation is absolutely right. The last known export had been 7,26,000 tons. It is a very big figure. Seven lakhs tons of food to be exported when people do not get food and that also for civilian purposes! What was exported for military purposes, I know, but I cannot tell you. And what is being purchased for the military in this country I know, but I cannot tell you. The only thing I say is that, looking at the situation of food supply for the civilian population, it is to be hoped that the military authorities will see to it that they do not take away any food that is not absolutely necessary.

The next source of mischief is the failure of the provinces to pool their resources. It is a very sad spectacle to me that any province should hoard food, should refuse to part with it, and that the Government of the province should be behind it. It is to me a very sad commentary on the un-neighbourliness of the Indian people, because it is clear that this has nothing to do with communalism. If the Punjab Government does not export food to other parts of India, Muslims as well as Hindus starve. If the U. P. Government does not export food to deficient areas, Hindus and Muslims both starve. Therefore it is not a communal problem. It is a problem of provincial narrowness, which I am sure the population itself does not share. It is the few big people in high offices and their entourage and their privileged supporters and lackeys, who, in order to make money out of the miseries of the poor, have been able to persuade the Provincial Governments not to part with food for the starving population of the rest of India.

This unneighbourliness is a very sad commentary on human nature; and it cannot be sufficiently condemned at a time when this country is fighting the war, when the entire resources of the nation should be placed at the disposal of the State in such a manner that the war can be carried on most efficiently; and no war can be carried on efficiently unless the population is fed. The people who are hoarding food, the provinces which are hoarding food, are fifth columnists; they are the friends of the enemy. The German or Jap can kill me when he comes; in the meantime these people are killing me. I agree with my friend, Mr. Joshi, that the Government of India is not powerless. The Government of India Act gives His Excellency the Governor General full power to pull Provincial Governments by the ear and to teach them their duty, to behave properly with the rest of the population. It is the Government of India who have to be blamed for not making full use of their powers; while they are arresting the political malcontents by the thousand, this treacherous fifth columnist who is starving the population is still supposed to be a respectable section of humanity. The head of the Provincial Governments, men whom the Government delight to honour and with whom they compromise for murder—what is this story going round openly, that Government compromise with murder by taking money from those who have starved the population? The man who is profiteering or running a black market or hoarding is a potential murderer, however respectable he may be. He is a murderer, and that the Government of the country should compromise with such a criminal by accepting a secret subscription to the war bonds or a fine, is to my mind a most shocking spectacle, if it is true. It has been openly alleged. You have never contradicted it. At least, we know that none of these people, who have given such sums, have been since punished. That is true also. The punishment that has been given is what is given to people who adulterate milk in the streets of Bombay—a fine so small that it pays the man to carry on. In the last war, that great novelist, Miss Marie Corelli, was found guilty of having hoarded potatoes of a few pounds; swift came the arms of the law and she was fined—I remember though it is now 25 years ago—£500. Here my friend today quoted the British example of

[Mr. Jamnadas M. Mehta.]

£40,000 against people who in this war refused to obey and carry out the orders. That is how wars are conducted. That is how a nation puts its will behind the conduct of the war. Here with ample food supply and no need for any shipping—in England the whole or, at any rate, a large part of the food has to be brought from abroad—here the food is growing inside the country and still the population is starved. Let alone the high cost, even those who want to buy cannot get it; and in the meantime the profiteer is making his fortune. Out of the misfortunes of the people, fortunes are being made every day; and the Government looks on idly unconcerned, although they say they are doing all they can. If this is all they can, all I can say is that it is a poor doing that they can. I have advised the Government of Bombay, and I advise the Government of the Delhi Commissioner also, to have a police ring round Malabar Hill in Bombay and round New Delhi here, and they will find people who are very respectable; people who call themselves patriotic people who have no end of condemnation of Government for the miseries of the people, they are the biggest offenders in hoarding five years' food. If the Government of Bombay places Malabar Hill in my hands, I can supply one month's food to the city of Bombay out of the hoardings of the so-called respectable people; and Bombay is not a special sinner. People who have got the money out of panic, out of disregard of the needs of fellow human being, store in excess of requirements, creating shortage which was already acute. But Governmental action is very lax, and the control without supplies is a meaningless thing. Supposing Mr. Joshi proclaimed a strike and took a red flag, but there was no worker behind him, people will laugh at him next morning. Supposing he goes to Delhi junction saying "Strike, strike, strike", but the trains are running. The Government in proclaiming control of food without stocks are like Mr. Joshi without his followers in a strike

Mr. N. M. Joshi: I will not commit such a mistake.

Mr. Jamnadas M. Mehta: I did not say you would. It will be just like that. I merely say that supposing that happens

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Jamnadas M. Mehta: Yes, Sir; I close. All that I say is, therefore, that what is needed is Government control, Government action, and the action of the State, because otherwise it is leading to the liquidation of the war effort. It has got the worst effect on the war effort of the country, by increasing the discontent.

Sir Muhammad Yamin Khan: Sir, I will first take the question of fuel because it was debated greatly in the morning before lunch, and the Honourable Transport Member had some difficulty in meeting the points raised. I will here give him, not the point of view of the merchants, but of the consumer and the man-in-the-street who is suffering. The Government here—I do not know which Government it is—have given licenses to some people to sell coal, and the public has to deal with these people. As soon as these license holders get a supply of coal and it is known in the surrounding locality, the people rush there and after half an hour the people are told that the whole of the coal has been sold out and that no more is available. If you go to the dealer only fifteen minutes later, the man says "Oh, I have sold everything, but there are some people who have it the government has fixed Rs. 1-8-0 but if you give me Rs. 2-8-0 I will manage to get the coal from those people and send it to your

place. But make the cash payment first." When the man is asked where the coal is, he says "I am not going to divulge that to you; you will get the coal at your place if you make the payment." That is how things are going on; and because you cannot do without coal, you have to pay Rs. 2-8-0. When you get this coal for Rs. 2-8-0 you find there is at least five seers of water mixed, just to increase the weight: you get only 35 seers. This is an everyday business going on here and I do not know why the Honourable Member has not been put to this experience himself, but if he makes inquiries from his people who bring supplies from the market, he will come to know that this is so. This is not in one place only. In many places in New Delhi it is an open secret that this is going on—and in Delhi city also. I think the system of appointing licensees to a small limit is wrong in principle, and in policy. What the Government should do is that if they appoint some license holders they should see that in the whole city of Delhi nobody else keeps any quantity of coal whatever, and if coal is found in the possession of anybody else besides those license holders, a full enquiry should be made where he got it from, and if he cannot give a proper answer, sufficient deterrent punishment should be awarded, not merely a fine of Rs. 20 or 30 or 100. The Honourable the Railway Member said you will have to pay Rs. 4 if you can get charcoal. It is a big if. You do not get charcoal easily. I do not blame the Honourable the Railway Member or the Transportation department for this. My point is, whether one Member is responsible, or another Member is responsible, or the Local Government is responsible, the fact is that the public are suffering and we want to bring to the notice of the Government the difficulties which the public are suffering, and not what the merchants are feeling in getting supplies. I have got no concern with the merchants. I want that I should be able to purchase from somebody, some quantity. About sugar: Government made a mistake about *gur* and the Central Government did not give proper instructions to Provincial Governments, when they fixed a very high price for wheat and did not put a correspondingly high price for sugar-cane. The result was that the cultivator does not find it profitable to grow sugar-cane and sell it at eight annas per maund, when he can sell wheat at eight seers a rupee, and the prevailing price is six seers a rupee. That will certainly induce him to divert all his energy and fields for the production of wheat, ignoring sugar-cane. The result is that in many places, in Rohilkund and Meerut divisions where *gur* and *rab* are mostly manufactured there is a tug of war with the people who supply sugar-cane. I am a zamindar and not a cultivator myself, I have got a lot of tenants who grow both sugar-cane and wheat. I find in several villages of mine where there was a lot of sugar-cane grown, these people are not thinking of growing sugar-cane to that extent. They have been deserting and there is difficulty where to supply. Some people are dragging towards the refined sugar, and other people want for the manufacture of *gur*. All this is going on because the prices have not been properly fixed and control price is in the case of one commodity fixed, and the other commodity is not fixed on the same basis and on the same ratio. The whole difficulty of sugar supply is on account of the wrong policy which had been adopted by the Government, and unless that policy is revised there will be difficulty next year also.

As regards salt. I think there can be no greater scandal than what the Government has committed this time in the matter of salt. I am sorry that here—I do not know whom I am going to address, because the Transportation Member is not in charge of salt, and neither the Commerce Member is here nor the Finance Member who are the only two persons interested in this subject. Government have given instructions to the District Magistrates to appoint agents to get the whole supply of salt and distribute it. You know that the District Magistrate is interested now a days only in the man who can give a little bit of help in the war effort. Whether he can deal with the supply, or whether he knows anything about this business at all, or not whether he has got any money

[Sir Muhammad Yamin Khan.]

in his pocket or not,—agencies have been given to paupers who cannot bring even Rs. 1,000 before the District Magistrate from their houses and they have been given agencies for the whole district. People could not get even two pice worth of salt in many places for their daily requirements. These agents, because they were paupers, they had no money of their own, they were not tradesmen, they were not merchants, they knew nothing about business, they wanted to make a lot of money, and they gave sub-contracts to other people after getting a lot of money in cash into their pockets. They wanted to get rich quick. If a man wanted two lakhs of rupees, you give him an agency of a district for salt and he gets two lakhs next day by sub-contracts. The sub-contractors come and make all the profit which they can do, and the difficulty is felt by the public. This is a most scandalous state of affairs—to give this salt contract in this manner to one or two individuals. What the Government ought to do is, they must have their own depots and supply salt to people who deal in salt in different places—not in one tahsil, but there should be distribution to the different villages in the tahsil and the small towns and not given to one man who gets about 20 wagons a day or 2 wagons a day and he sells at the highest price. It has been brought to the notice publicly in one Garden Party that a General's wife had to pay a bribe of Rs. 3 in order to get half a pound of ordinary salt. As far as wheat is concerned, we cannot be satisfied and the public can never be satisfied with the procedure adopted by Government, and with what is read out to us—we have taken this step, we have appointed so many people, there are about 20,000 people in the offices sitting in front of tables, issuing different orders which are contradictory to each other, people not knowing anything at all as to how the public is feeling. That does not satisfy the public at all. What the public wants is result. What is the result that you have achieved? Government's justification can be this that after a year they come to us and say, "Look here, by our action we have done such and such a thing for you." If you come before us and say that you have appointed 20,000 men to deal with this problem and that you have spent two crores of rupees on this, then we say that you have wasted our money, you have taxed us for nothing, you have squandered our money and you stand as guilty persons before the public. You have done absolutely nothing. What is the result of what you have done? In the beginning of the year, at the harvest time, Government fixed the price of wheat as eight seers for a rupee for the whole year. Now, within two months they changed the order and fixed the price as six seers for a rupee. Then, they went on purchasing and here I do not want to repeat what has already been said by Sir Abdul Halim Ghuznavi. In short, they committed blunders after blunders and now they have committed another blunder by lifting the control altogether. There is no price control now. The day the control was taken away, do you know what was the result? In a place like Lyallpur where wheat used to be sold at Rs. two and annas four or Rs. two and annas thirteen and in any case at less than Rs. three per maund, it began to be sold at Rs. 10-6-0 per maund. This I heard on the radio only day before yesterday. Now, when you fixed the price of wheat at Rs. five per maund at other places, it was being sold at Lyallpur at Rs. four a maund.

Sardar Sant Singh (West Punjab: Sikh): The price of wheat was fixed at at Rs. five per maund.

Sir Muhammad Yamin Khan: My friend comes from Lyallpur and I accept his statement. But the price of wheat there now is Rs. 10-6-0 per maund. To whom have you given this profit? For whose sake this generosity has been shown by the Government? That is what I want to know. For whose benefit was that order passed that wheat shall not be sold at a higher price than Rs. five per maund and for whose sake it is changed? You had to satisfy the cultivator

because the Punjab Government said that the agriculturists of their province will not be satisfied unless you fixed that ratio. You consented to their request and you ought to have forced the Punjab Government that they must enforce the law. Sir, the Government of India have become the laughing-stock of the whole country. That is why the confidence in the present Government has been lost. There are many things which have been attributed towards the causes of agitation and disturbances but we cannot ignore that there was also the element of these mistakes committed by the Government in respect of the food control and the question of food supply. People began to suffer and they did not know what to do. Of course, other people took advantage of the agitation which was in the minds of the public. The other side took advantage of the situation with the result that your employees who are getting small salaries cannot make their both ends meet. Sometimes we cannot get a seer of wheat in the whole market. There is another ridiculous thing and that is the order of rationing. In Meerut, the place where I come from, the rationing order says that two ounces of wheat flour will be given to every child up to the age of 14 and four ounces of wheat flour for every adult in the whole day. Of course, it may be all right for my European friends who eat meat, vegetables, fish, eggs and other things and just a piece or two of bread, adding butter to it. That is the English food. But so far as the Indian food is concerned, the whole thing consists of wheat, other things are just as butter is to the English food. They are mere luxuries, but the staple thing is wheat. And now you are giving us only four ounces of wheat per man per day. Think of the feeling you have created in the mind of the public. And why should the Congress fail to take advantage of all these mistakes you are committing? Have you got anybody in the public who is siding with you? Is there any section of the public which is with the Government and which has got the confidence of the Government? Whom have the Government taken into their confidence? There may be political differences between Parties and Parties and Government may be exploiting them

Mr. President (The Honourable Sir Abdur Rahim): Honourable Member's time is up.

Sir Muhammad Yamin Khan: Unless the Government sets up non-official advisory bodies and takes non-officials into their confidence, it will not be able to remove the difficulties of the public. You should remove the idea from your mind that people who sit with high salaries in their offices can come to your help or rescue. They will never be able to help you. Within a year or two you will have to give an answer for what you have done and you will not be able to acquit yourself creditably if you persist in this policy.

Khan Bahadur Mian Ghulam Kadir Muhammad Shahban (Sind Jagirdars and Zamindars: Landholders): Sir, the matter which has been causing serious concern throughout India is the food position. Various causes have led to an acute shortage of foodstuffs; the consumer is hit hardest. With a considerable fall in the purchasing power of the rupee, the lot of millions of Indians, whose level of subsistence even in the best of times is probably the lowest in the world, has become worse still. Supplies are scarce and prices are soaring high. It is a truism to say that war can be won not only on the battlefield but also on the home front. Let us not forget the lessons of the last Great War which Germany lost. Apart from the other factors, the home front collapsed for sheer lack of proper feeding of the people. The food problem may be divided into three sections, production, conservation and distribution.

On the first point, I need not say much because I understand the Government of India have already put into operation certain measures whereby the acreage and output will be considerably increased. What has been achieved so far is

[Khan Bahadur Mian Ghulam Kadir Muhammad Shahban.]

not enough. More land will have to be brought under cultivation and better methods employed with a view to obtaining a bigger yield. Government will, I hope, not relax their efforts in this direction or rest on oars in the belief that there remains nothing more to be done.

Conservation of foodstuffs is an important problem. In a country which is predominantly agricultural, it is a pity that one has to see and hear about acute shortage. It is no doubt true that the global war has put a great strain upon all countries including India in the matter of food supplies. The defence services in this sub-continent and those in the Middle East and the Eastern borders of India have their requirements to be met. But as I said before, we must never lose sight of the importance of preserving the home front at its maximum level. So long as civilian needs of foodstuffs, cloth and other essentials of life are not fulfilled, there should be no scope whatsoever for any export from India. If it becomes necessary, Indian produce will have to be supplemented by imports from abroad. I need hardly emphasise this aspect of the problem, because unless it is appreciated to the full and measures concerted towards feeding the civilian population in India adequately, the consequences are likely to be disastrous.

I now come to the third point, namely, distribution. Rationing of supplies appears to be on the lips of everyone. It would solve most of the difficulties if it could be introduced systematically and worked successfully. I have read in the papers that in some of the Indian States, rationing of foodstuffs and other articles has met with conspicuous success. It is a system, therefore, well worthy of scrutiny and adoption on a wide scale if found feasible. If everyone is assured of a quota based not on what a dyspeptic, diabetic or ascetic would consume but on what an average normal healthy person requires one of the important factors towards a successful issue of the struggle in which almost the entire world is engaged would have been ensured. In each district, city, town and village there should be Food Boards composed of Government officers, non-official representatives of trade and panchayats, societies or anjumanas, as well as of growers, zamindars and consumers. Black markets have played havoc and hoarding has inflicted great hardship on the public many of whom are on the border line of starvation. If all interests are represented on such Food Boards much of the prevailing turmoil and tribulation would be reduced, if not entirely eliminated. A carefully thought out plan which involves obtaining food and other requisites from a surplus part to a deficit place, watch over those whose greed and rapacity know no bounds and spare neither friend nor relation and whose activities in trying to squeeze more out of the needy public require to be sternly curbed even to the point of condign punishment, and proper distribution of the necessities of life including fuel and cloth, will have to be initiated and executed with vigour if the public morale is to be kept up and the war effort is in consequence to be speeded up. The importance of thinking ahead, planning in advance and taking quick decisions and prompt action much in the same way as a well-organised and well-conducted commercial office does, cannot be over-rated. This may mean cutting down some of red-tapism. But it would be well justified if good results are to ensue.

...

Actually the subject of proper distribution of food stuffs throughout the country, according as the needs of each are, can be easily and successfully handled only by a central machinery organised on a sound and thorough basis.

This machinery can ascertain the production in the country, its need, the production in each province and the needs of all provinces so that it can be easily ascertained as to which provinces are surplus area so far as food stuffs are concerned and which are deficit ones. Without this centrally organised machinery it will be for instance difficult, for a deficit province (say Bombay), to ensure

adequate supplies for its needs. To devise means whereby food-stuffs are easily and promptly distributed to areas, which do not produce enough from places which are known to have sufficient exporting surplus, is not an extremely hard task.

Once these difficulties of ensuring supplies through Government agencies to consuming area are overcome, the problem of price control could be tackled as it should be. So far this can only be achieved by Government itself stepping in and buying from surplus areas and transporting it to consuming centres according to their ascertained needs. Private purchase has to be eliminated.

The general complaint of public is that control of prices has only benefited Government by enabling them to secure supplies for the army and factory hands at controlled rates. The general public has remained and still remains at the mercy of the profiteer and of the black market. The inevitable conclusion is that price control can be successfully enforced by Government machinery and it cannot be denied that the existing administrative machinery in this country is hopelessly inadequate to tackle this gigantic task. But it is apparent that in order to see that the public secures its legitimate requirement throughout all areas at controlled prices, the distribution of all stuff should take place through Government or semi-Government agencies. This means Government Depots and Government Shops in all localities, are to be opened and to obviate hoarding, a system of rationing cards is to be introduced. That appears to be the only way of ensuring more or less perfect distribution of food-stuff.

Another manner in which food situation can be eased is to endeavour to arrange for import of food-stuffs from abroad, which may at least take off the burden of military supplies from the country.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural). Sir Muhammad Yamin Khan has struck a very fine note. We had a debate in this House on a matter of vital interest for the last two days, not only for building up the morale of people but also to improve their economic condition. But, Sir, I am sorry to find that Honourable Members on the Treasury Benches are not to be found here. It shows how little interest they take in the debates. I find that only one Member of the Executive Council is present, but I submit that this important subject should be the concern of the entire Executive Council.

The Honourable Sir Edward Benthall: Two members on the Government Benches have already spoken.

Seth Yusuf Abdoola Haroon: Then they have gone out after making their speeches.

Mr. President (The Honourable Sir Abdur Rahim): They have got other business to attend to. It has never been the practice for all Members of the Executive Council to be present at the same time.

Seth Yusuf Abdoola Haroon: Sir, I think Sind has been the most fortunate province in India regarding the food problem. First of all I would touch on the problem of sugar. Sugar is distributed through Sugar Controller in India. Every province gets its quota. In other provinces there is no arrangement. But in Sind arrangement has been made for distribution and I hope the Government of India will take note that an example should be set in other provinces as it has been done in Sind. In Sind Province, the Government has compelled the sugar dealers to form into a Syndicate. They get their quota from the Central Government, and the Syndicate then issues rationing cards to hotel managers.

[Seth Yusuf Abdoolah Haroon.]

retail dealers, *halwais* and others, these then receive their sugar and so it is distributed in the Province. That is why there is no hoarding in Sind. In other Provinces you find hoarding, because the Central Government simply gives the sugar to big dealers who do not distribute it accordingly. Sugar disappears at once because there is no Syndicate and there is no office maintained. Therefore, I would suggest to Government that they should ask the Karachi sugar Syndicate to send their representatives to other Provinces also and to have such Syndicates established there.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech on the next day when this subject comes up. The House will now adjourn.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 18th February, 1943.

LEGISLATIVE ASSEMBLY

Thursday, 18th February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBERS SWORN:

- Mr. John Ainslie Mackeown, C.I.E., M.L.A. (Government of India: Nominated Official);
Mr. Samuel Harrison Yardley Oulsnam, C.I.E., M.C., M.L.A. (Government of India: Nominated Official);
Mr. Annemebal Vittal Pai, O.B.E., M.L.A. (Government of India: Nominated Official); and
Mr. Vishnu Sahay, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

REFRESHMENT-ROOMS CONTRACT ON THE OLD BENGAL AND NORTH WESTERN RAILWAY.

132. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable Member for Railways please state if it is a fact that the contract for the Hindu and Muslim Refreshment Rooms on the Bengal and North Western Railway (now called the Oudh and Tirhut Railway) is given to an association of individuals—Ganesh Lal and Sons?

(1) Is it not a fact that Ganesh Lal and his sons are all dead and the persons who have taken the contract are only using their names?

(c) Did the Railway Administration make an attempt to find a Muslim contractor for catering for the Muslim Refreshment Room?

(d) Are Government aware that some Mussalmans on account of their religious conviction would not take their food in a Refreshment Room managed by non-Muslims?

The Honourable Sir Edward Benthall: (a) I understand the Firm mentioned holds both the Hindu and Muslim Refreshment Room Contracts at certain stations, but not at all stations.

(b) The present proprietor is the grandson of the original proprietor of Messrs. Ganesh Lal and Co., and the son of the previous contractor. All have traded under the title of Messrs. Ganesh Lal and Co.

(c) No.

(d) I had hitherto understood that the objection was to food being cooked and served by non-Muslims.

Dr. Sir Zia Uddin Ahmad: I know the conditions at Gorakhpur as it is the centre of my constituency. In view of the fact that there is a class of Muslims who would not like to eat any food which is not cooked by and under the supervision of Mussalmans, and in this particular case it is not so, and a Muslim can easily be appointed and contract given to him, I would like the Honourable Member to consider this question and intimate the Administration that it is the desire of the Assembly Members to see a separate contract given to a Muslim.

The Honourable Sir Edward Benthall: I had understood that this contractor was in possession of a number of testimonials from Muslims of standing

and that every satisfaction had been given; but I would suggest to the Honourable Member that, if he feels as he does, the best thing to do would be to bring the matter before the local Advisory Committee of the Oudh and Tirhut Railway and have the matter discussed there.

Maulana Zafar Ali Khan: With regard to part (c) of the question, I should like to know when Refreshment Rooms have been provided for why should it not be desirable or convenient for the Government to have the management of the Muslim Refreshment Room put in charge of a Muslim?

The Honourable Sir Edward Benthall: In this case I understand that the contractor has given every satisfaction to the public in general and to Muslims, who had in fact submitted to him a number of testimonials.

Mr. Muhammad Nauman: As the Honourable Member has made a reference to certificates, may I know whether the Honourable Member has ever tried to find out the number of complaints? Probably the number of complaints is ten times more than the number of certificates ever given to him.

The Honourable Sir Edward Benthall: That is not my information.

Maulvi Muhammad Abdul Ghani: Has the Honourable Member taken the trouble of enquiring into the facts from the local administration, namely whether the number of complaints is greater than the testimonials?

The Honourable Sir Edward Benthall: I have already suggested that there exists a machinery—the local Advisory Committee—for ventilating these complaints, and I have suggested to the Honourable Member that that is the most convenient place to discuss this matter.

Dr. Sir Zia Uddin Ahmad: But, unfortunately, none of us is a member of the Advisory Committee of the Oudh and Tirhut Railway. Gorakhpur is the centre of my constituency and I know the conditions there very well. I know very well that there are definite complaints. Whenever I go to my constituency I always receive these complaints and I have brought these to the notice of the administration without any avail.

The Honourable Sir Edward Benthall: What is the question?

Mr. Muhammad Nauman: Sir, the Advisory Committee of the Oudh and Tirhut Railway had one solitary representation so long as I was there for two years, and there was no possibility of convincing the authorities on that issue, which we have now brought here.

The Honourable Sir Edward Benthall: What is the question?

Maulvi Muhammad Abdul Ghani: May I know from the Honourable Member whether the number of complaints against this firm are innumerable?
(No reply was given.)

Dr. Sir Zia Uddin Ahmad: May I ask the Honourable Member to send a copy of questions and answers to the General Manager of the Oudh and Tirhut Railway?

The Honourable Sir Edward Benthall: I will certainly send these questions and answers to the General Manager.

CONDITIONS OF SERVICE OF STAFF OF THE OLD BENGAL AND NORTH WESTERN RAILWAY.

133. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable Member for Railways please state what arrangements Government have made with the Bengal and North Western Railway Company about the payment of gratuity, provident fund, bonus, etc., due to their servants on handing over the charge to Government?

(b) Will the servants of the Bengal and North Western Railway who have now become the State servants get the same privileges, concessions and facilities in service as are enjoyed by servants on other State Railways?

(c) Do Government propose to consider the desirability of having uniform scale of salaries and conditions of service of servants on all the State Railways and bring up the scale of salaries in the Oudh and Tirhut Railway to that of the East India Railway?

The Honourable Sir Edward Benthall: (a) I would refer the Honourable Member to Ordinance No. LXVII of 1942, a copy of which is already in the Library of the House.

(b) No; a statement of the terms and conditions under which they have been offered employment under Government is in the Library of the House.

(c) Government consider that complete uniformity in scales of pay is neither desirable nor practicable. Other conditions are generally uniform for State Railway servants except those who have been permitted to retain the conditions they had when serving under Railway Companies.

LOSSES SUFFERED BY BENGAL AND NORTH WESTERN AND EAST INDIAN RAILWAYS DURING RECENT POLITICAL DISTURBANCES.

134. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable Member for Railways be pleased to state the losses which (i) the Bengal and North Western Railway, and (ii) the East Indian Railway have suffered during the recent political disturbances?

(b) On whom would these losses fall? Who will bear the losses—Indian taxpayers or Railway Administrations?

(c) From what funds will the track be repaired and fresh rolling stock be purchased for replacing the stock already destroyed?

(d) Will the charge be on the depreciation fund or will a fresh grant be given for such repairs and replacement? In case it is done by fresh grant, will the capital at charge be correspondingly increased?

(e) Is it a fact that a large amount of merchandise belonging to the Army and private individuals was destroyed in these disturbances?

(f) What is the value of such merchandise destroyed by rioters during the recent disturbances?

(g) Have the merchants owning the merchandise put in claims for the recovery of the value of the articles lost or destroyed? If so, what action have Government taken on such claims?

(h) What is the value of the claims the Government have already paid to consignees on (i) the Bengal and North Western Railway, and (ii) the East Indian Railway?

The Honourable Sir Edward Benthall: (a) Physical damage caused to railway assets on the Bengal and North Western Railway and East Indian Railway as a result of the recent political disturbances amounted, in round figures, to Rs. 16 lakhs, and Rs. 14 lakhs respectively. These figures do not include damage to goods in transit.

(b) The railway administrations will bear their own losses.

(c) and (d). Railway funds will be utilised for the purpose, and the expenditure will be debited to revenue or depreciation fund, as the case may be, in accordance with the existing rules of allocation given in the State Railway General Code, a copy of which is in the Library of the House.

(e) Yes.

(f) The Bengal and North Western Railway estimate that consignments looted at stations were valued at Rs. six lakhs, approximately. No estimate has yet been received from the East Indian Railway.

(g) It is believed that claims have been received by Railways for goods lost or damaged due to acts of sabotage. Railways have been instructed to deal with such claims in accordance with their obligations under the law as bailees.

(h) The information asked for is not readily available, and its collection would involve an amount of time and labour that would not be justifiable in war time.

Dr. Sir Zia Uddin Ahmad: Can the Honourable Member give a rough idea of the total amount of the claims? Not the details.

The Honourable Sir Edward Benthall: I have already answered that question.

Dr. Sir Zia Uddin Ahmad: With reference to part (h).

The Honourable Sir Edward Benthall: The Bengal and North Western Railway have received claims amounting to Rs. 5,00,029.

RECOMMENDATIONS OF THE RAU COURT OF INQUIRY FOR DEARNESS ALLOWANCE.

+135. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether the recommendations of the Rau Court of Enquiry in connection with payment of dearness allowance were accepted by the Railway Board (i) in full, (ii) with modifications, or (iii) whether they were rejected? If the recommendations were accepted with modifications, what was the nature of those modifications and reasons therefor?

(b) Is it a fact that one of the Terms of Reference to the Rau Court of Enquiry (1940) was "(4) how should the allowance, if any, be regulated in future, if the cost of living should rise or fall"? If so, what were the recommendations of the Court in this connection? Were these recommendations adopted? If not, why not?

(c) If the Rau Court's recommendations have not been adopted in reference to Term of Reference No. 4, what other orders have the Railway Board issued for automatic increase or decrease in the dearness allowance paid to railwaymen, on rise or fall in the cost of living? If none, why?

The Honourable Sir Edward Benthall: (a) I would refer the Honourable Member to the Government of India, Railway Department (Railway Board), Resolution No. E40P.A.1116 of the 18th March, 1941.

(b) The reply to the first part is in the affirmative. As regards the second part, I would refer the Honourable Member to pages 58-63 and 118-120 of the Report, a copy of which is in the Library of the House. As regards the third and fourth parts, I would refer the Honourable Member to my reply to Part (a) of this question.

(c) Government have issued no orders for the automatic increase or decrease of dearness allowance to railway servants. As regards the second part, Government prefer where possible to make adjustments through negotiations.

SHORTAGE OF COAL AND SOFT COKE.

+136. ***Mr. K. C. Neogy:** (a) Is the Honourable Member for War Transport aware that there has been a considerable dearth of domestic fuel throughout the country, and in some cases the price of soft coke went up to Rs. 5 to Rs. 7 per maund recently?

(b) Is he aware that the average despatches of soft coke have of late been much below the normal requirements of the country?

(c) Is he aware that the situation has gone worse since the 1st of January, 1943, when the different Provincial Governments took over the distribution of coal and coke?

The Honourable Sir Edward Benthall: (a) I have no details of the prices for soft coke to which the Honourable Member refers but it is a fact that there was a shortage of domestic fuel in certain places during December and January.

(b) Yes, Sir.

(c) The Honourable Member is referred to my reply to part (a) of the question. I do not, however, accept the suggestion that any worsening of the situation which may have taken place is due to the provincial control scheme.

+Answer to this question laid on the table, the questioner being absent.

The scheme was in fact delayed in some Provinces owing to certain misunderstandings, but these have all been rectified and it is hoped that the provincial programmes will henceforward work smoothly within the available wagon supply.

POLICY ABOUT ALLOTMENT OF WAGONS FOR DOMESTIC FUEL AND COAL FOR SMALL INDUSTRIES.

†137. ***Mr. K. O. Neogy:** (a) Will the Honourable Member for War Transport be pleased to define Government's policy about the allotment of wagons for domestic fuel and for coal for small industries such as oil mills, flour mills, rice mills, etc., which provide the foodstuffs of the country?

(b) Are Government satisfied that the fuel requirements of these small industries have been and are being met adequately?

The Honourable Sir Edward Benthall: (a) Quotas of wagons have been given to provinces to provide for their minimum requirements of domestic fuel and for small industries such as oil mills, flour mills and rice mills. The quotas are as follows:

	Wagons per month.
Province of Bengal	3,600
Bihar	1,050
United Provinces	900
Delhi and Punjab	1,200
Bombay Presidency to be supplied from the Bengal and Bihar fields	600
Madras Presidency to be supplied from Bengal and Bihar fields	150
Orissa Province	150

In addition special programmes are issued for supplies from the Central Indian coalfields and the Pench Valley and Chanda fields on the recommendation of the Provincial Governments.

(b) This quota system has been in operation for less than a month but it is understood that the quotas allotted are considered adequate to cover the minimum requirements of small industries and domestic consumption.

APPOINTMENT OF BANIANs, MONOPOLISTS AND SPECIAL AGENTS FOR COAL DISTRIBUTION.

†138. ***Mr. K. O. Neogy:** Is the Honourable Member for War Transport aware that some of the Provincial Governments have appointed banians, monopolists and special agents for the distribution of provincial quotas of coal and coke wagons, in direct contravention of the instructions of the Controller of Coal Distribution? If so, does the Honourable Member propose to state which Governments made such appointments and in what circumstances they were made? Are these appointments still continuing? If so, where and why?

The Honourable Sir Edward Benthall: I am aware that the machinery for distribution of provincial coal quotas was not, in some cases, in conformity with the instructions of the Controller of Coal Distribution. It is the policy of Government that monopolies in the distribution of coal should be avoided and that existing trade channels should, so far as possible, be utilised, and wherever this has been departed from the Controller of Coal Distribution is taking steps to rectify matters in consultation with the provincial authorities concerned.

GOVERNMENT DEPARTMENTS WORKING AS AGENTS FOR THE UNITED KINGDOM COMMERCIAL CORPORATION.

139. ***Maulvi Muhammad Abdul Ghani:** Will the Honourable Member for Supply please state whether it is a fact that some of the Departments of Government work as purchasing or despatching agents for the United Kingdom Commercial Corporation? If so, are such Departments paid any commission or remuneration?

Mr. J. A. Mackeown: The Supply Department is the only Department of the Government of India which has worked as a purchasing or despatching

†Answer to this question laid on the table, the questioner being absent.

agent for the United Kingdom Commercial Corporation. It charges three per cent for departmental expenses on purchases made for the Corporation, but in the case of goods intended for Russia, this charge is only made when manufactured goods are supplied from stock.

Maulvi Muhammad Abdul Ghani: What kind of articles are purchased from the U. K. C. C. through the Government agency?

Mr. J. A. Mackeown: I shall have to ask for notice of that question.

Dr. Sir Zia Uddin Ahmad: May I ask whether the Government of India in the Supply Department charge any commission on the articles supplied in order to defray the expenses for the maintenance of the Supply Department?

Mr. J. A. Mackeown: I have already stated in the answer that we charge three per cent. on the purchases made for the Corporation.

Maulvi Muhammad Abdul Ghani: May I know whether wheat and rice are purchased by the U. K. C. C. through the agency of the Government servants?

Mr. J. A. Mackeown: I should like notice of that question, but my impression is that they are not purchased by any Government of India agency.

UNSTARRED QUESTIONS AND ANSWERS.

GRIEVANCES OF TRAINED CANDIDATES OF GREAT INDIAN PENINSULA RAILWAY.

25. Mr. N. M. Josh: Will the Honourable the Railway Member be pleased to state:

- (a) whether the trained candidates in the Great Indian Peninsula Railway were being paid only Rs. 30 per mensem as salary, without any further increment till after their confirmation;
- (b) whether since 1930, the period before such confirmation was inordinately longer, varying upto ten or twelve years in large number of cases;
- (c) whether these employees were doing precisely the same work as the other employees who were confirmed in service and drawing the time-scale of pay;
- (d) whether the Union of the Railway Workers has since 1935 been representing the matter to the railway authorities for granting annual increments to these employees;
- (e) whether the General Manager of the Great Indian Peninsula Railway has only now revised the pay of these men from the fixed pay of Rs. 30 to Rs. 30-4-50, with effect from the 1st April, 1942;
- (f) whether the trained candidates with service of two or more years will have their pay fixed according to the years of service they have put in, and if not, the reasons for not doing so;
- (g) whether the result of this refusal is that the men from two to ten years of service will be treated on a par with those who have put in only one year of service; and
- (h) whether this question will receive sympathetic consideration and necessary action will be taken with a view to removing the injustice and financial loss to the trained candidates who have put in longer service?

The Honourable Sir Edward Benthall: (a) to (h) Information has been called for and a reply will be laid on the table of the House in due course.

FUNCTIONS AND POWERS OF CONTROLLER OF COAL DISTRIBUTION.

26. Mr. K. C. Neogy: (a) Will the Honourable Member for War Transport be pleased to state the functions and powers of the Controller of Coal Distribution?

(b) Were the coal trade organisations informed precisely about these functions?

(c) Has the Controller got any Advisory Committee to advise him on important matters?

The Honourable Sir Edward Benthall: (a) The functions and powers of the Controller of Coal Distribution are described in the press communique, dated 14th August 1942 of which I lay a copy on the table.

(b) The Controller of Coal Distribution keeps in close contact with the three associations and in view of the press communique issued on the subject, it was not considered necessary to repeat what was stated therein in separate communications to those bodies.

(c) No, Sir. But he has frequent meetings with the bodies referred to and consults them in regard to changes in distribution arrangements.

Press Communiqué.

1. In view of the difficulties experienced in obtaining transport for the supply of coal, the Government of India, appointed a Controller of Coal Distribution some four months ago with headquarters in Calcutta at No. 1, Council House Street, with the object of regulating the distribution of coal in the best interests of the country. His functions, as well as the manner in which he functions and the procedure to be observed when applying for his assistance are briefly stated below for public information.

2. The Controller is responsible for deciding the order of priority in which the coal has to be despatched, and his functions include the granting of priority for all Shipping Coal, Naval Coal, Loco. Coal for Railways, all Government requirements, requirement of public utility concerns, and of the iron and steel industries. The Controller is also responsible for the allotment and control of wagons normally classified under 'Public'.

3. Programmes of Loco coal for Railways, and coal purchased for Government requirements through the Chief Mining Engineer, Railway Board, are referred to the Controller of Coal Distribution, by the Chief Mining Engineer, Railway Board. For priority in connection with shipment coal, bunker coal, and Government requirements, other than coal purchased through the Chief Mining Engineer, Railway Board, applications should be made direct to the Controller of Coal Distribution. All applications for War Priorities received by the Supply Department should be forwarded to the Controller of Coal Distribution by that Department. Applications for priorities by public utility concerns, by iron and steel industries, for coke ovens, etc., previously addressed to the Coal Wagon Supply Committee should likewise be addressed by these concerns direct to the Controller of Coal Distribution, who will draw up the necessary programmes, and issue instructions to the Railways.

4. In the case of coal and coke required for domestic consumption and for local industries not directly engaged in war work, it has been arranged that the Director of Industries of the Provincial Governments of the Punjab, Bombay, Madras, Central Provinces and Berar, North West Frontier Province, Sind and Assam will function as Provincial Coal Controllers. In Bengal the functions will be discharged by the Price Controllers, and in the United Provinces by the Provincial Transport Board. They will advise the Controller of Coal Distribution of the requirements of different centres in the order of urgency and will ensure that the coal received is used for the purpose for which it was ordered.

5. The Controller is generally able to draw up a programme of distribution under which a limited number of wagons is set aside daily for the miscellaneous day-to-day requirements of the public not covered by any priority. The number of wagons set apart under this system is expected to cover all demands for general use. Where, however, special assistance is required for, for any area, the Controller of Coal Distribution will at his discretion endeavour to give that assistance on information supplied by Provincial Coal Controllers.

6. In applying to the Provincial Controllers for assistance, parties concerned should state the names of collieries with whom orders for coal have been placed, the quantity covered by each order, and the period in which delivery has to be made. Normally all applicants will be expected to draw their supplies from the nearest field, and an explanation will be necessary in all cases where an order has not been placed in the nearest field.

WAGON SUPPLY COMMITTEE.

27. **Mr. K. C. Neogy:** Will the Honourable Member for War Transport be pleased to state whether the Wagon Supply Committee is still functioning? If not, were the trade organisations concerned informed on this point before or after it ceased functioning?

The Honourable Sir Edward Benthall: Although the Coal Wagon Supply Committee continues in being, it has not functioned as a committee since the appointment of the Controller of Coal Distribution, who now deals with the allotment of wagons for essential industries. The three associations representing the coal trade were advised of the change. I may add that the Controller

of Coal Distribution has frequent meetings with the Committees of the three associations and consults them on any changes affecting the general policy of distribution of wagons.

PURCHASE AND DELIVERY OF COAL FROM PUBLIC COLLIERIES FOR RAILWAYS.

28. Mr. K. C. Neogy: Will the Honourable Member for Railways be pleased to state:

- (a) the total quantity of coal purchased from public collieries for the year 1942-43 for each of the State and Company-managed Railways; and
- (b) the percentage of deliveries upto the 31st December, 1942, made to each of the railways from public collieries as a whole?

The Honourable Sir Edward Benthall: (a) and (b). A statement giving the required information is laid on the table of the House.

Statement showing Quantities of Market Coal purchased by Railways for delivery during 1942-43 and the Quantities delivered up to the end of December, 1942.

Railways	Total quantities contracted.	Total quantities despatched from April to December 1942	Percentages of Column 3 to Column 2
1	2	3	4
	Tons		
N. W.	13,39,500	7,54,392	56½
E. I.	10,18,500	5,81,390	57
B. & A.	6,72,500	3,57,060	53
G. I. P.	12,88,700	8,49,295	66
M. & S. M.	4,32,000	3,07,640	71
S. I.	4,43,000	2,05,586	46½
B. B. & C.	4,13,300	2,25,852	55
B. & N. W.	3,16,000	1,56,460	49½
R. & K.	60,000	33,795	56
B. N.	5,49,300	*	..
	65,32,800		

* Information not available.

WAGONS FOR LOADING COAL IN BENGAL AND BIHAR COAL-FIELDS.

29. Mr. K. C. Neogy: Will the Honourable Member for War Transport be pleased to state:

- (a) the total number of wagons allotted in each month for loading public coal during the year 1941, separately for up and down direction traffic in the Bengal coal-fields; and
- (b) the total number of wagons available for loading coal under all classes of supplies in the year 1941 in the Bengal and Bihar coal-fields?

The Honourable Sir Edward Benthall: On the assumption that part (a) of the Honourable Member's question refers equally to the coal-fields in Bihar, the information required is contained in the statements laid on the table in reply to his unstarred question No. 1 of 10th February, 1943. If, however, the Honourable Member desires information regarding the Bengal Coal-fields, I am afraid this is not available.

REFUSAL TO SUPPLY TO INDIAN MINING FEDERATION LISTS OF ACCEPTANCES OF INTERIM PURCHASES OF COAL.

30. Mr. K. C. Neogy: Will the Honourable Member for Railways be pleased to state if it is a fact that Government refused to supply to the Indian

Mining Federation the lists of acceptances of their interim purchases of coal in 1942, made through the Chief Mining Engineer, Railway Board? If so, what were the reasons for such refusal?

The Honourable Sir Edward Benthall: A list of the acceptances in respect of the supplementary purchases of coal for Railways during 1942-43 was not issued as it was understood that this information was available to the Coal Trade through its own Organisations.

MOTION FOR ADJOURNMENT.

NECESSITY OF RELEASING THE CONGRESS WORKING COMMITTEE MEMBERS.

Mr. President (The Honourable Sir Abdur Rahim): There is an adjournment motion in the name of Mr. Govind V. Deshmukh for discussing the immediate necessity of releasing the members of the Working Committee of the Indian National Congress who are in jail or under detention to enable them to go to Poona with a view to have a consultation between them and Mahatma Gandhi whose condition has very much deteriorated on account of his fast.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): I am not going to move that adjournment motion.

THE RECIPROCITY BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Sir, I present the Report of the Select Committee on the Bill to make provisions in regard to entry, residence, the acquisition, holding or disposal of property, franchise, the holding of public office, or the carrying on of any occupation, trade, business or profession in British India by persons domiciled in the British Possessions on a basis of reciprocity.

RESOLUTION OF THE COMMITTEE FOR ENQUIRY INTO THE ALLEGED MILITARY AND POLICE EXCESSES—*concl'd.*

Mr. President (The Honourable Sir Abdur Rahim): There will now be the further discussion on the Resolution of Mr. K. C. Neogy regarding enquiry into the excesses committed by the military and the police in dealing with the recent disturbances.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I gave a notice of an amendment that these words might be added, and I will just tell you the reasons.

Mr. President (The Honourable Sir Abdur Rahim): When did the Honourable Member give notice of the amendment?

Dr. Sir Zia Uddin Ahmad: On the 20th of September, 1942, and the motion was moved.

Mr. President (The Honourable Sir Abdur Rahim): Is the amendment before the House?

Dr. Sir Zia Uddin Ahmad: Yes.

Mr. President (The Honourable Sir Abdur Rahim): All right.

(Pause.)

Why was it not moved earlier?

Dr. Sir Zia Uddin Ahmad: It was moved as will be seen from page 527 of Vol. III, No. 9. I will just read it.

Mr. President (The Honourable Sir Abdur Rahim): Yes, yes. It is all right.

Dr. Sir Zia Uddin Ahmad: Sir, I moved an amendment on the 24th September, 1942, that the following words be added to the Resolution moved by Mr. Neogy that while making an inquiry on the points raised by him, the inquiry should also include some other matters. It should not be a one-sided inquiry but a complete inquiry, and the words that I wanted to add were:

"(1) That after the words 'enquire into' the following be inserted:

'the nature of organization leading to dislocation of communication, murder, loot and forcible extortion of money under the threat of murder, the allegation that some factory owners helped hooligans by deliberately turning out their labourers after paying their full wages and',

(2) that after the word 'country' the words "in a manner that may not benefit the enemies" be inserted."

That was my amendment which I moved on the 24th September, 1942, but unfortunately I had no opportunity to explain the reasons on account of which I moved my amendment on that occasion.

Mr. President (The Honourable Sir Abdur Rahim): It was in accordance with the ordinary practice.

Dr. Sir Zia Uddin Ahmad: Yes. I mean that we had a full debate on that day and we had another debate in this Session. I had no opportunity to speak on the original motion. The reasons on account of which I moved this amendment were already explained in detail in the speeches delivered by the Honourable the Home Member and by the Honourable the Leader of the House, not the then Leader. It is not necessary for me to repeat in greater detail all those points which have already been mentioned on the floor of the House. There is no doubt that we have had dislocation of traffic, and it had been so much, that in spite of the many months that have passed we are not yet back to normal. The number of trains has been cut down on account of a large number of trucks being destroyed or burnt. So the people are now suffering on account of this dislocation of traffic. The number of trains, even on the East Indian Railway main line, has been reduced by 50 per cent., and the same is the case on other railway lines. This has been due primarily to the number of trucks and wagons destroyed or disabled and engines put out of order necessitating their being sent to the repair shops. This is a serious state of affairs and we have not yet got over these difficulties. It is desirable that this fact ought to be included in the scope of the inquiry, so that we may be able to find out what were the reasons for such dislocation. The other thing that I would like to mention when this inquiry is made is that a number of pamphlets were distributed, printed on different coloured papers, but the general purport of these pamphlets was the same. They described the method which ought to be adopted in the case of such an emergency, and the method which was followed by the hooligans was exactly the same as that described long before the incidents occurred. One such pamphlet was sent to me. I read it. I did not take it seriously at the time, but when so many different incidents happened then I realized that it was a clear warning. There is no doubt that some District Magistrates were careful and took precautions in time and in those districts the loss was nominal. But some other District Magistrates did not take this warning seriously till the whole position deteriorated and then they came forward and attempted to restore order. Delhi was one such town where no timely action was taken. If the provincial authorities in Delhi had acted two days earlier, I am sure there would not have been this burning of the Railway Clearing Accounts Office and the Municipal Hall. Everywhere else also such things would not have happened. In addition, a number of persons received threatening letters—I think some Assembly Members also might have received these; it shows that they all belonged to the same organisation. Therefore, I repeat that if an inquiry is to be made it should be very comprehensive and it ought not to be one-sided, because one-sided inquiry will not give any definite result. To take a definite instance in my own district of Ballia, every organisation there was destroyed and they took possession of the treasury and of the armoury and everything else; and one person assumed

the office of one administrator and another assumed the office of another officer and they attempted to carry on the administration in their own way. When such serious things happen, somebody will have to restore order and peace. If you wish to ascertain whether the steps taken were commensurate to the situation, that can only be found out by investigating into the situation itself, about the damage and loss incurred and the property looted and the dislocation of trade and traffic, including damage to post offices and railway stations. I do not know if my Honourable friend, the Railway Member, has made any detailed inquiry about the burning of these railway stations—I wish he has a detailed report before him about the number and names of burnt stations and the personnel who were present at the time, because he will be able to draw very valuable inferences from those facts, if indeed they are supplied to him accurately. I know the conclusions myself, but I am not going to communicate my own conclusions or my opinions, but I would like him to draw his own conclusions from the facts supplied by his own department, and they will be an eye-opener to him and could be a guide for action if similar occurrences possibly happen in future.

As regards the burning of the Railway Clearing Accounts Office, I would not like to omit any mention of it though a reference was made to it before. No doubt inquiry has been made and I do not know the result of it or who made the inquiry. These things were not made public; but it is a characteristic fact that everybody knew sometime before that the Clearing Accounts Office will be burnt. They knew beforehand that this thing would occur. There were about ten or twenty times the number of clerks and peons present in the office. The head of the department was the head of the A. R. P. organisation and he could command the whole of the A. R. P. organisation and the pumping and fire engines to help on this particular occasion; but no action was taken and the people actually left the office without any resistance or hindrance. This fact ought not to be whitewashed by mere explanations, but one should go deep into the matter and find out the real cause of such occurrences in order to avoid similar incidents in future.

About Bihar, I have been reading this morning the speech of my Honourable friend the Leader of the House about the excesses committed there. I was also told by a number of persons who were stranded on that occasion. The damage done was so great that when a railway officer came to Aligarh and found the railways working normally, he was astounded to see it and asked "How is it possible for clerks and others to be working here without any police help at all? I see that people are getting everything they want and I could not imagine that things could be so normal". He could not believe that things could be like that, after his own experience in Bihar. There, things were so much dislocated that one must make inquiry about it, if this question is to be opened at all. I am therefore strongly of opinion that if any inquiry is to be made, it ought not to be one-sided, and every side of the question must be looked into before any definite conclusion is arrived at. If these matters are allowed to be shelved on account of some bigger problems, that is a different matter, but if an inquiry is held, it ought to be thorough and complete. With these words I move my amendment.

Some Honourable Members: The question may now be put.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the question be now put."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I shall put first the amendment of Babu Baijnath Bajoria. The question is:

"That for the original Resolution the following be substituted:

"That this Assembly, while strongly condemning acts of murder, sabotage, arson, loot and other forms of violence committed by unruly mobs and hooligans in the country which

[Mr. President.]

have caused serious destruction and loss of life and property and while supporting Government in all legitimate measures taken or to be taken to suppress such mob violence and restore law and order, emphatically condemns the use of excessive force and frequent firing which have resulted in the deaths of and injury to innumerable innocent persons including women and children and recommends to the Governor General in Council that all complaints about excesses committed by the police and the military in quelling these disturbances should be investigated by judicial tribunals to be established in all the Provinces, for the purpose and those found guilty be suitably and condignly punished'."

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): The next is in the name of Pandit Nilakantha Das. The question is:

"That for the original Resolution the following be substituted:

'That while severely condemning all acts of violence and sabotage resulting in serious loss of life and destruction of property, and while recognizing that it is the duty of the Government to restore law and order and prevent the breach of public peace and to use legitimate force for that purpose, this Assembly recommends to the Governor General in Council that, with a view to ensure public confidence in the Government measures, immediate and effective steps be taken for the investigation of well supported allegations of the use of excessive force by tribunals consisting of high judicial officers, and that those found guilty thereof be suitably and condignly punished'."

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): The next is in the name of Dr. Sir Zia Uddin Ahmad: The question is:

"(1) That after the words 'enquire into' the following be inserted:

'the nature of organization leading to dislocation of communication, murder, loot and forcible extortion, of money under the threat of murder, the allegation that some factory owners helped hooligans by deliberately turning out their labourers after paying their full wages and',

(2) that after the word 'country' the words 'in a manner that may not benefit the enemies' be inserted."

The Assembly divided:

AYES—17

Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Ahsan, Mr. Muhammad.
Azhar Ali, Mr. Muhammad.
Bhutto, Mr. Nabi Baksh Illahi Baksh.
Choudhury, Mr. Abdur Rasheed.
Essak Sait, Mr. H. A. Sathar H.
Ghiasuddin, Mr. M.
Mehta, Mr. Jamnadas M.

Murtuza Sahib Bahadur, Maulvi Syed
Nairang, Syed Ghulam Bhik.
Nauman, Mr. Muhammad.
Siddique Ali Khan, Nawab.
Yamin Khan, Sir Muhammad.
Yusuf Abdoolah Haroon, Seth.
Zafar Ali Khan, Maulana.
Zia Uddin Ahmad, Dr. Sir.

NOES—40.

Abdul Hamid, Khan Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ambedkar, The Honourable Dr. B. R.
Anthony, Mr. Frank R.
Benthall, The Honourable Sir Edward.
Caroe, Mr. O. K.
Chapman-Mortimer, Mr. T.
Daga, Seth Sunder Lall.
Dalal Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.
Dumasia, Mr. N. M.
Gwilt, Mr. E. L. C.
Haider, Khan Bahadur Shamsuddin.
Imam, Mr. Saiyid Haider.
Ismael Alikhan, Kunwer Hajee.
James, Sir F. E.
Jawahar Singh, Sardar Bahadur Sardar Sir.
Kamaluddin Ahmad, Shamsul-Ulema.
Lawson, Mr. C. P.
Mackeown, Mr. J. A.

Manavedan, Raja T.
Miller, Mr. C. C.
Muazzam Sahib Bahadur, Mr. Muhammad.
Noon, The Honourable Malik Sir Feroz Khan.
Oulsnam, Mr. S. H. Y.
Pai Mr. A. V.
Pillay, Mr. T. S.
Raisman, The Honourable Sir Jeremy.
Raper, Sir Hugh.
Richardson, Sir Henry.
Sahay, Mr. V.
Shahban, Khan Bahadur Mian. Ghulam Kadir Muhammad.
Spear, Dr. T. G. P.
Spence, Sir George.
Stokes, Mr. H. G.
Sultan Ahmed, The Honourable Sir.
Thakur Singh, Major.
Trivedi, Mr. C. M.
Wood, Major-General E.

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

That this Assembly recommends to the Governor General in Council that a committee composed of nine Members of this House, with a majority of non-officials selected in consultation with the Leaders of the Parties be set up immediately to enquire into the allegations of excesses committed by the military and the police in dealing with the recent disturbances in the country, and to report thereon to the Governor General in Council."

The motion was negatived.

RESOLUTION *RE* IMPLEMENTING THE FEDERATION OF INDIA.

Pandit Nilakantha Das (Orissa Division; Non-Muhammadan): Sir, I move:

"That this Assembly recommends to the Governor General in Council to take immediate steps for implementing Part II (the part relating to Federation) of the Government of India Act, 1935."

Sir, at the outset, I may tell the House that I am not particularly enamoured of this Federation provided in the Act of 1935. Since the Act was passed, much water has flown under the bridge and we have now come definitely and distinctly to the idea of Indian independence, complete and full. All people on all sides including the British Government agree to it. We have all decided, even our masters have said and promised in so many words, that if certain conditions are fulfilled we shall get independence at the end of the war when the new order comes to be promulgated. I do not like to enter into any controversy. I do not want to tell the House at this stage how it is practically something unachievable as at present visualised. But whatever be the character of what you are going to have, the idea of independence, full and complete, is there and all sections of our politicians including the Rulers agree to it. That is a fact. But where are we at present, though we perhaps think of independence every moment of our life, all the time and all the 24 hours of the day and the night, during waking as well as sleeping time. I do not know what we are exactly doing now to achieve it. We have been offered several times several kinds of Governments within the constitution and unfortunately for us we have come to no agreement. There was the offer of August, 1940. It did not suit us. Then there was another one in 1941. Then last of all, Cripps came. Every time we thought we would come to some understanding and achieve something; but one party has sold itself to complete and absolute self abnegation expecting that the world will come to influence our rulers to give us what we want or the rulers out of pity will throw the entire Government on our shoulders and go back bag and baggage. Whatever be our idea, we sold ourselves to complete and absolute negation. We could not agree among ourselves, which is a condition precedent to our getting anything. One side talked of ideals; another side talked of impossible terms. We have not come to any practical understanding and so we are where we were and the whole thing has ended in frustration. Such a thing as frustration always creates a void in the national life of the country. So, there is a deadlock. We do not know in the long history of our nation, when a deadlock like this existed before. We are now in the midst of a very serious calamity, so to say, and we cannot do anything, this way or that. We always expect other people to do things for us. That is a state of mentality in which no national life can progressively develop. We never like to take the responsibility on our shoulders, for this reason or that reason or for no reason whatever. So, we should arrive at some understanding among ourselves and our rulers are pledged to give effect to our agreed solution. We are told that everything will be done at the end of the war. We are told that measures will be taken to give independence to India after the cessation of hostilities. Many things are held out as hopes to be done after the war; but we must first think of shouldering the responsibility ourselves and doing things here and now. We are always wanting to do something but we are not doing anything, because we cannot agree upon anything.

But this Federation is a thing to which our Government, the British Government, is bound by a distinct and definite promise. It is in the Act, and the communal differences, which are the main obstacle and which are now the main

[Pandit Nilakantha Das.]

cause of the deadlock and because of which we visualise various difficulties in our achievement even after the war will not stand in the way of achieving this interim measure of Federation. When talking about communal settlements, we are giving this or taking that before we have actually achieved anything, before working any Constitution or working for anything with any outlook and before having anything that we can confidently call ours. We are always going to divide first. We have nothing to give and yet we promise to give. And that perhaps exhibits the character of our slavery all the more. We talk like people who have really no idea of what they are talking about. But here is something where there is no question of give and take and all the communities, if this thing is promulgated, will *ipso facto* have to lay their heads together and will have to work in collaboration for the working of this Constitution which is a statutory provision already.

Sir, it is by working together for the Government or for the people that we can achieve communal settlement. As I once said elsewhere, it is in coalition ministries in the provinces and composite Government in the Centre that we can develop and advance towards our independence or whatever our goal may be. By talking and negotiating in an atmosphere where we have really nothing as ours to deal with we cannot achieve anything. We have not achieved anything so far and we are simply going more and more asunder every day. If we look back at the history of our communal settlement, what have we achieved during the last ten years or more? We are simply going apart every day more and more. So, I think—and this is my definite opinion—that we should take advantage of every situation where we can work together, though some people may call it sham. I believe that in any working there is some substance, but if some people like to call it sham, let them do so. I firmly believe and I trust many of my friends will share this belief with me that we shall develop, we shall grow and we shall progress even in communal harmony when all the communities sit together in whatsoever proportion and run the Government themselves. In the measures they consider and adopt there will be no communal colour. If they want to decide some fiscal policy or some tariff or some dearness allowance, will there be anything communal in it, which a Hindu or a Mussalman or a Parsi or a Harijan should get or should not get? It is in these measures that we should now try to work together and collaborate from day to day and from hour to hour. This is the only constructive thing which should now be opened to us and we should always try to take advantage of these opportunities.

It is a fact that a large section of our politicians think of giving up everything. Sir, I have been a very strong Congressman in my life and a nationalist of the extreme wing and I believed for many long years of my life in this policy of self-abnegation. But when the war came and when this policy was going to be carried out to its extreme at such a critical time by giving up the Ministries, I was simply taken aback. Then I made a public statement and said, "For God's sake do not commit this mistake". "There may come a time", I said, "when, not to speak of aeroplanes, not even a single soldier will be able to come to this land from abroad, and our Masters, who have ruled over us for these six generations, and have not given us any opportunity to shoulder a gun will want us to join in the Defence forces without any distinction of colour or caste, martial or non-martial". "So", I said, "do not lose this opportunity. If you wish to be recognised as a nation, you must take this opportunity by the forelock". I then wrote to the then Congress President, Dr. Rajendra Prasad, and said that, unless better sense prevailed, I was not with him. I am very sorry to say that after so many years of association I had to part company with the Congress. I believe that there should now be effectively pursued that policy which is called responsive co-operation and that is the only way to progress in our national advancement.

It is with this object in view that I am moving this Resolution, though it may seem very strange to many that I am proposing such a measure at this juncture, for even after the passing of this measure many important parties of politicians in this country said that they do not want it. Even those who put their seal of approval in England to this idea of Federation said after it was passed into law that they do not want it. They may or may not want it ultimately but as an interim measure it will be a much better thing to work than to live in an atmosphere of negation and frustration.

Sir, frustration always creates a vacuum which nature never likes. When you are not there, surely other people will come in, and your protest to influence the world opinion, if you have not a sanction behind your demand, will never come to be anything substantial; it will never be fulfilled. Suppose you demand something from inside the jail or outside it or wherever you may be, and if, your demand is not accepted by those from whom you demand it, you must have to look back upon something which is called sanction in the ordinary phraseology. For creating that sanction the working of some constitution has always been necessary. I have already said that for that sanction you should join in war measures. If you can successfully join in this war, no nation in future will say that India is unfit for its self-defence. Whatever be your communal difference, if you are practical you can create that sanction. Our rulers even will then feel and they will be convinced that we are fit for defending our own country. Negotiations, promises and every thing else will then change in colour and character.

We must now try to look at things in this really practical way. Now, we must face facts and not lose ourselves in lofty ideals. Philosophers think of ideals and Prophets speak of them. In this world all Prophets have preached ideals. Even Christ's ideal is claimed by Hitler to have been practised in action. That does not matter. In the ordinary spheres of the world's affairs practical men should always face facts. We have carried on in pursuit of an ideal for a long time and I have said it landed us in frustration. We are again thinking in the same line as if some miracle will happen which will lead us to a place of prosperity and achievement. It will not be so. So let us now sit down together in any form of Government where we can work together with some kind of responsibility for our people—work in collaboration and work in consultation. Let us not lose ourselves in empty negotiations of give and take when we have nothing to give and nothing to take.

In conclusion, I appeal to my friends in the Treasury Benches to think of the matter now seriously, if they are sincere in their efforts. Let the British Government now decide whether in spite of any opinion in the country it is not for them to take this usefully practical measure for the entire co-operation of India. I think they can put it in actual practice at once. I appeal to them again and again to do a thing to which they are already pledged and not to allow any people to scan and criticize it without practising it. It is the only usefully practical measure before us now and I submit that both the British Government and the Government of India should now practically think over the matter and introduce it as an interim measure till after the war. Before better things or other things come—before independence of India comes—till then we must work this most practical measure. Let us have it. Sir, I move:

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly recommends to the Governor General in Council to take immediate steps for implementing Part II (the part relating to Federation) of the Government of India Act, 1935."

The Honourable Sir Sultan Ahmed (Law Member): At the earliest stage I should like to make the position of Government quite clear on this Resolution. The House will realise that this is primarily a matter for His Majesty's Government to consider, but Government will welcome a discussion and

[Sir Sultan Ahmed.]

debate on this resolution, because the suggestion which has been made may be one of the solutions of the recent political deadlock. It will, however, be remembered that there are various parties who have to agree to a settlement which is suggested. Primarily, Princes are there who have to come and accede to the Federation. There are other very important parties who have to be considered. And while Government would welcome a debate on this Resolution for an expression of opinion, they hope that the debate will be carried on with a certain amount of cordiality and good-will and nothing will be said on the floor of the House which will in any way prejudice the issue. Government have therefore, decided to be absolutely neutral and I hope that the contribution which will be made by this House will be useful for solving this most difficult problem.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): My Honourable friend the Mover of this Resolution considers this as the only practical measure which could be brought before this House. I am sorry I differ from him. I say there could be no more impracticable measure which could be brought before the House at this juncture than the one which has been brought by my Honourable friend the Mover of the Resolution. It is not only inopportune and ill-conceived, but it is the one which wants to throw away the declared policy and the declared wishes of the vast majority of the people living in this country. As far as this Part II of the Government of India Act is concerned i.e., Federation, that has been practically denounced from the outset in the country; and I am surprised that a veteran member like my Honourable friend Pandit Nilakantha Das, should have chosen this moment to bring up such a Resolution for discussion in this House. He knows fully well that the Princes were very much afraid of this scheme by the bitter experiences which they had in 1937, and they were very reluctant to join in the Federation. They wanted many safeguards and their case was not a secret one. Then the big party to which he had the honour to belong, and from which, I am glad, he has severed his connection lately, that is the Congress party, that has not only denounced Federation, but they have gone to that extent that they find themselves now shut up in other places.

An Honourable Member: Is it a better place?

Sir Muhammad Yamin Khan: Yes, it is much better. They are much better fed there than they would feed themselves in their own homes. Surely you cannot say that Mahatma Gandhi is not well looked after. They are not jails.

An Honourable Member: Would you like to go to that place?

Sir Muhammad Yamin Khan: We do not deserve that treatment. Now, Sir, my Honourable friend knows that the Congress has passed a resolution that this scheme is not acceptable to them. Now, I will tell him that the other big party in the country, the second biggest party in the country, the Muslim League has also denounced it absolutely. In the very beginning when this scheme was passed, it was debated on here after the Government of India Act came into force. This House had given its vote that they do not agree with the second part of the Federation. Only the first Part, relating to Provincial autonomy, was accepted by this House. The second part was rejected *in toto*. I do not know, nor do I remember whether my Honourable friend, Pandit Nilakantha Das, was a Member of this House or not at that time.

An Honourable Member: He was a Member of this House at that time.

Sir Muhammad Yamin Khan: Then, if he was a Member of this House, it means that he also voted against the second Part. Now, he brings forward this Resolution to give effect to the very thing which he rejected then. Probably he will find himself the solitary man to support this Resolution. I do not think it is a desirable thing to do so. The Muslim League has been

opposing this on many considerations which are not secret, which are not hidden from any Honourable Member of the House or from the public as a whole. We cannot accept the Federation envisaged in the scheme of the Government of India Act, or any kind of Federation which is not acceptable to the Muslim League. My Honourable friend knows full well that the politicians in England have said very often, not once, but many times that it is the concern of the people of India to come to a conclusion and to decide among themselves and then lay the scheme before the British Parliament, which I am sure will accept the same. They have said so in clear terms. Mr. Churchill and the Secretary of State for India have made no secret of this. What is here wanting is the common consent among the people of India. Have we taken any steps towards coming to a final conclusion among ourselves? I am sure my Honourable friend will say, none. I think the speech which he made in this House ought to have been made on a public platform. He should go out into the country and tell the people to come to a settlement, to create the atmosphere, create the spirit of give and take, listen to the views of the other side also . . .

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): You go along with him.

Sir Muhammad Yamin Khan: I wish my Honourable friend does not interrupt. I can answer him. I know that my Honourable friend is only one of the offshoots of the Congress and it is not for him to come here and interrupt like this.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member Qazi Muhammad Ahmad Kazmi is not in his seat. If he wishes to make any remarks, he must go back to his seat.

Sir Muhammad Yamin Khan: What is wanting is the proper atmosphere. The spirit is not there, the hand of co-operation is never raised, and unless this is done, it is useless to come before this House or to appeal to the Treasury Benches. The case of the Treasury Benches has been clearly put by the Honourable the Law Member. They are powerless, it is not in their hands, it is not in the hands of somebody else to grant you what you want. They have said so many times that they are not going to interfere unless the people of India come to an agreement among themselves and put a joint scheme before them. Federation has been shelved for all times, I hope Federation will never find a day here in this country. It is not to be supported by anybody. Now, what is going to be started will be negotiated and accepted by all parties. It is no use coming to this House or trying to ignore the other side absolutely and say this, that we want to force this scheme or that scheme, without agreement among ourselves. Mahatma Gandhi may be fasting to enforce one kind of system, my Honourable friend wants through the back door to enforce another scheme which has been rejected, in the hope that it will be accepted by the Treasury Benches. What is the use of appealing to the Treasury Benches? I say, don't appeal to the Treasury Benches, appeal to me. Why don't you come to me and appeal? Why don't you convince me? I mean the Muslim League. Go and ask your big organisations, the Hindu Mahasabha, the Congress and other bodies to join hands with the Muslim League and come to terms. Be convinced by them or convince them. So long as this policy remains, namely that whatever you desire should be carried out, I say that will never be carried out. My Honourable friends say that India will remain a slave and they do not like it. But I can assure my friends that unless and until a settlement is arrived at between the two big communities in India, India's fate is doomed and India will remain a slave for ever. India can never progress unless everybody feels that whatever is given in the shape of reforms is beneficial for all, and that all will prosper by the freedom of India. If anybody feels that freedom of India means eternal slavery for him, then he will never join to get that kind of freedom. If on the other hand freedom for India means the rule of one party or the other, that will never be accepted. If it is

[Sir Muhammad Yamin Khan.]

the rule of all parties where every community will have a voice, then it will be accepted.

Bhai Parma Nand (West Punjab: Non-Muhammadan): Will the Honourable Member kindly tell me whether this scheme of Federation was not the decided view of the Round Table Conference? Is not the Honourable Member taking advantage of the very constitution in the Provinces, I mean Provincial autonomy, which is also a part of the Federation scheme outlined by the Round Table Conference?

Sir Muhammad Yamin Khan: It is no use my Honourable friend going into this sort of discussion. It has been very clearly stated on many occasions by different people, I do not want to take up the precious time of the House in repeating those arguments which have been advanced both inside the House and outside. I want to make it clear that this is the most inopportune moment for my Honourable friend to bring this motion before the House because he will find that a vast majority, as I said, is opposed to Federation. They do not want Federation. At this hour when war is going on, to think of a scheme like this during war can be nothing short of ruin for the safety and progress of the country. We can never prosper until we get security of the country. The first thing is that India must remain secure, and then, after the war, prosperity will come and schemes will be put in. If my friend had suggested for different parties to join their heads together, and come to some conclusion and then take over charge of the administration it would have been different, but changing the constitution during the war is not desirable.

Pandit Nilakantha Das: But it is not changing the constitution.

Sir Muhammad Yamin Khan: That will mean changing the present constitution. At the present time even municipal elections have been postponed, and my Honourable friend wants to create uncertain conditions and turmoil in the country by bringing in federation. Once this question is accepted, there is bound to be elections. And you know the result: The whole country will be rushing up in different directions instead of concentrating their mind on one goal. It is not the time to think of these things. Under the present constitution if any change is suggested and can be brought in with the consent of all parties together, I may tell this Honourable House—and this has been repeated by many speakers on this side of the House—that we are quite open to talk over and negotiate. We have never said that we do not want a compromise; we have never said that we are not willing to join the Government and take the responsibility on our shoulders. But we know that the Congress is not willing. If other parties are willing they must take the responsibility on their shoulders and everybody else is willing to take up the responsibility. If my Honourable friend concentrates on these questions it will be beneficial, but to talk of a scheme which has been rejected and is nowhere will not help. I am quite prepared to reiterate on behalf of the Muslim League that we are opposed to this Resolution and we are opposed to the Federation. But I do not understand why the Honourable the Law Member wants discussion on this to go on. Is he not in possession of the views of this House? I say that discussion on this Resolution should be stopped . . .

Mr. M. Ghasuddin (Punjab Landholders): Under what law can the Law Member stop the discussion on any Resolution?

Sir Muhammad Yamin Khan: The Honourable Member ought to have listened to what I have said . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sir Muhammad Yamin Khan: I conclude by saying that we are opposed, and I hope that the time of the House will not be wasted any more.

Mr. M. Ghasuddin: By special powers of the Honourable Member.

Sir F. E. James (Madras European): Sir, my intervention in this debate is on my personal responsibility, for my Party does not, as a party, propose to take any part in this discussion and indeed will not vote on the motion if it is put to the vote of the House. As far as I am concerned, I turn my back upon the Treasury Benches and would like, in the friendliest way possible, to address myself principally to the only large and substantial party which is represented in this House today—the Muslim League. And I think many others, not only in my own community but in other communities, would like to have some clarification upon the Muslim League attitude, not so much to Pakistan, but to the future constitutional development of the Continent of India as we know it today.

Everybody who has examined in the past the Indian problem and has thought about the political evolution of this country has inevitably come to the conclusion that some form of federal system is the only solution. See the Montagu-Chelmsford Report, the Nehru Committee Report, the Simon Commission Report, the deliberations at the Round Table Conference, the Report of the Joint Parliamentary Committee

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Ancient documents.

Sir F. E. James: They are ancient documents, but, at any rate, they are important constitutional documents, and we have still to see constitutional documents of a similar character which are to take their place

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): The resolutions of the Muslim League.

Sir F. E. James: Those are important also and if my Honourable friend will let me go on I will also develop that point.

The result of these various discussions as far as the federal system is concerned is embodied in the Government of India Act, 1935. Today, as everyone knows, the Federal provisions of that Act are in suspense, and, as my Honourable friend, Sir Muhammad Yamin Khan has said, the Muslim League is violently opposed to their application, whether now or in the future.

Mr. Muhammad Nauman: All the other parties.

Sir F. E. James: The Congress Party also opposes, for other reasons, the provisions of the Federal scheme of the Act, and I am not aware the Rulers of the Indian States are particularly enamoured of it. The Congress has, in its last declaration of policy, supported the idea of Federation, with residuary powers in the constituent units. As I understand the Muslim League point of view, it is crystallized in the demand for Pakistan, which, if I may summarize their resolution of March 1940, the Charter of their political goal, means:

“Geographically contiguous units demarcated into regions and grouped to constitute independent states in which the constitute units shall be autonomous and sovereign.”

In these units the Muslim League has guaranteed protection for the minorities as far as they are concerned. If I may quote famous words used by Mr. Joseph Chamberlain many years ago, the Muslim League has said that within the limits of Pakistan “there is nothing that the other communities may ask which they may not hope to attain—there will be equal laws, equal justice, equal opportunities, equal prosperity; their wishes will be our guide, their prejudices will be by us respected, their interests will be our interests”.

I have always recognized that the Muslim League have offered the fullest possible protection to the interests and susceptibilities of other communities within the limits of Pakistan. My Honourable friend may question me, but I am speaking only for myself. I am trying to interpret what the Muslim League has declared in resolutions laid down in recent years, and it is for the Muslim League, if I am incorrect, to contradict me and to put me right.

[Sir F. E. James.]

The position of an outside observer, who has been brought up to believe in the constitutional unity of India,—as many Britishers have, who have looked upon their task in India as mainly a task to bring about a constitutional unity which will give this country good government and independence,—is this, that he is bound to say to my Honourable friends in the Muslim League, “we quite see your point about Pakistan, but does not nature, does not the geographical position of the various communities forge links between the peoples in India which cannot be sundered without possible grave consequences to the political and economic integrity of the continent which we know as India?” Now the ideal of Pakistan, although its area and constitution have not been precisely defined so far,

(At this stage, a lot of conversation was going on.)

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): I am asking my friend to raise a point of order as to what is the relevance of Pakistan.

Mr. President (The Honourable Sir Abdur Rahim): What is the point of order?

Sir F. E. James: The ideal of Pakistan, although its area and constitution have not been precisely defined as yet, does not necessarily rule out some kind of federal objective. When people talk of Federation they are usually thinking of

(At this stage, there was a lot of noise in the Chamber.)

May I claim the protection of the Chair? There are several conversations going on in the House and it is difficult to pursue the thread of thought which I am anxious to pursue.

Mr. President (The Honourable Sir Abdur Rahim): There must be no loud conversations.

Sir F. E. James: People who talk of Federation are usually thinking of Federation as enshrined in the Government of India Act, 1935.

Syed Ghulam Bhik Nairang: That is the Resolution.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Let the Honourable Member proceed.

Sir F. E. James: But I think it is quite legitimate to discuss on this Resolution the general objective of the federal idea which is to bring together certain units or states for a common purpose. I want to put it to my friends, that the tendency in the world today is in the direction of the closer association of autonomous groups. The League of Nations founded on the rock of sovereignty and complete autonomy. The British Commonwealth of Nations, although it is founded on the voluntary cooperation of sovereign units, has survived, but it was quite unable to prevent war, and indeed the present war has imperilled its very existence. The main reason why the British Commonwealth has stood when all the other organizations have failed is because it has largely depended for the strength of its defence upon the hegemony of Great Britain. Now the point I want to put to the Muslim League is this. Granted Pakistan and other homelands in India as autonomous states, are those states to be completely separate?

Mr. Jamnadas M. Mehta: Sir, has this anything to do with this Resolution?

Mr. President (The Honourable Sir Abdur Rahim): I suppose Part II of the Act covers the entire ground of Central Government.

Mr. Jamnadas M. Mehta: Pakistan was not even known, not even born. He is simply encouraging it in an indirect manner.

Mr. President (The Honourable Sir Abdur Rahim): I suppose what the Honourable Member means is that Pakistan purports to be a scheme of Government for India.

Sir F. E. James: Who can deny that if the Union of America had years ago dissolved into a series of sovereign states the result might well have been that the continent of America would have been ravaged by the kind of wars and distress that have swept Europe. I have not yet found in my study of the resolutions of the Muslim League any very precise guidance as to what is to be the form of cooperation between the autonomous states in India once they are established. Let us for a moment imagine the establishment of a proud Pakistan, the happy Hindustan and a thoroughly depressed Dravidistan—separate units in the continent of India. Are they going to be completely separate, following their own policies in regard to defence, foreign affairs, and international relations generally? Does not the history of Europe, indeed of Asia and America show that independence or sovereignty is not enough in a world of today: that the tendency in all parts of the world is for the units, though politically sovereign, to come together, to join, for purposes which are common to their interests—at least for defence and foreign affairs. It is there that I have not yet been able to ascertain, with any precision, the point of view of the Muslim League. It is of course present in the minds of a number of distinguished Muslims who have spoken. I have been looking at a speech delivered by Nawab Muhammad Ismail Khan in a presidential address to the U. P. Muslim League Conference of December 1940, in which he says, referring to the resolution relating to Pakistan: "There is nothing in the resolution to prevent these sovereign states confederating with other sovereign states." I have looked also at a speech which was delivered by Mr. Suhrawardy in Bengal in November 1941, I believe at a Muslim League Conference, in which he said that the first political aim of the Muslims was to ensure that the Central Federal Government was not established until the consent of the individual units had been obtained. Provinces had to be developed and given greater powers until they had become fully autonomous and independent. "That was the crux of the Pakistan scheme. The Pakistan scheme paved the way for a lasting Federation dependent on the will of the people on mutual respect. The Muslim League resolution made provision for a transitional stage. In the striking speech delivered by Syed Abdul Aziz at the Aligarh University the other day, he definitely speaks of unity. He said:

"It might appear strange to some that I should expect strength and solidarity resulting from division and separation. But a little reflection will show that the relationship of Hindus and Muslims in India is like that of two brothers who, living under one roof, find themselves at variance in regard to different matters and on the verge of hostility, but who, once they have independent establishments of their own, find their relationship more cordial, as a result of which they unite together in the common bond of affection for their parents and other members of the family."

That is a picturesque way of putting this question which I am addressing now to my Honourable friends of the Muslim League. Assuming their goal is achieved, assuming the principle of home lands for the various communities in this country is carried out, as is suggested in the resolution relating to Pakistan, what then? Once you have your sovereign units, will there not come upon these units the dire necessity of drawing together again in some form of union for common purposes, whatever you call it—whether you call it a confederation or whether you call it a federation, or whether you call it by some other name. What have my Honourable friends in mind? They must have thought about these matters. They are experienced statesmen and they must know, when they are working for the establishment of Pakistan, that sooner or later the impelling forces of history, geography, and economic development will bring in those sovereign units into some federal system which will give them protection not only against military aggression, but also against that form of economic aggression in the face of which not even the politically independent sovereign

[Sir F. E. James.]

state can always stand secure. Sir, I hope my Honourable friends will understand that these questions are asked in all sincerity and friendliness, because as with many others I am groping in the dark at present. I want more light, and from whom can we look at present in this House for light on the constitutional future of India except from my friends of the Muslim League?

Mr. Jamnadas M. Mehta: Sir, I rise to support the Resolution moved by my friend, Pandit Nilakantha Das. It is the first real constructive effort made during the last two years, amidst turmoil, prejudice and demagoguery. I am glad that my friend was inspired to move this Resolution as a solution of a temporary situation during the war, because I take it that he does not consider his Resolution as a settlement for all time; and who can deny that this is the only real solution, better than the present one? If you compare it with a golden age to come, if you compare it with something which you have at the back of your mind, it will fail; nor do I consider his proposition as a final solution of the political problems of this country. What I do consider is that today, where eleven Members of the Executive Council are sitting as nominees of His Excellency the Governor General, they will sit in their own right, in the rights of the people who elect them. My friend, Sir Yamin Khan, will find that there will be no solution or attempted solution of Pakistan through this Resolution. There is no intention to anticipate what may be the result of the post-war political constitution making; but there can be no doubt that as against the present situation, where the Governor General nominates eleven people, the right to appoint these must be vested in this House if this Resolution is carried out. Will that not be better? It must be better.

An Honourable Member: "How"?

Mr. Jamnadas M. Mehta: Because you will elect your own men. You have today three or four men, you will get as many as you want by your election. Therefore, you cannot consider that this is in the least prejudicial to any preconceived notions about Pakistan that you may have and oppose this.

My friend, Sir F. E. James, showed the unfortunate position of the Europeans in this country. Even at this late hour, he stood up as if he was a detached person and made a most poisonous speech, insidiously suggesting that the divisions in India were natural, that they were the solution of the disputes between two brothers, and went on in that very clever way, so that the Muslim Leaguers might find that he was their good friend; he can pretend that he is neutral and yet he can work poison into the minds of the people of this country. Sir Frederick James has many sins to answer for against the public of Madras; he knows some of them, particularly the workers of the Madras and Southern Mahratta Railway, but today he has simply exceeded himself. It is to my mind a very very sad exhibition of the European mentality, if that represents the latest view of the European community about India's political future. I will not say anything more. I will only say that I did not expect better from him. Now, why will this operate as a better thing? My friend, Sir Yamin Khan, knows that the number of members of the Federal Assembly put down in the Government of India Act is 250, out of which 80 are Muslims

Some Honourable Members: No, no.

Sir Muhammad Yamin Khan: 100 are from the Indian States.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): I said, what a large number! 80 out of 250!

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Mr. Jamnadas M. Mehta: What are you today? What is your number today? It is better than the present. It may be 80 out of 250, but the Hindus' number is only 112. Government has taken care to see that the Hindus' nails are taken off in advance, that his numbers will not be effective, that he will have a fourth class citizenship in his own country—of that the Parliament has taken care.

Sir Syed Raza Ali: That is why you want Federation! (Laughter.)

Mr. Jamnadas M. Mehta: You are laughing at yourself. Shall I stop till you have completed laughing, because it is a silly laugh when I agree that this proposition is not a final solution. Subject to that I am saying that, under this the Hindu is not getting anything better, therefore you should not be afraid, that is what I mean.

Syed Ghulam Bhik Nairang: We are not afraid of anybody.

Mr. Jamnadas M. Mehta: You were afraid that this was some insidious attempt round about to do something wrong to you. No. People forget, but I may tell Sir Muhammad Yamin Khan that the Government of India Act, 1935, was specially devised to harm the Hindu community. But what is happening now is worse. You would have got, I would have got under the Government of India Act elected representatives and therefore have elected Councillors or Ministers. Why not accept a place of honourable and self-respecting composition of the future Government instead of leaving it to the Governor General to nominate such as it pleases him. Sometimes he may not understand much, sometimes he may be pressed too much, and when a number of people go to the Government House for getting jobs that must be enough to tire him out. So he will be relieved of that unpleasant situation and you will get a better type of people who will be responsible to you. To-day the Honourable Sir Sultan Ahmed is not responsible to you. To-morrow, if Pandit Nilakantha Das's Resolution is accepted, he will be responsible. We may elect him because I see no reason why he should not be elected. Same is the case with the Honourable Sir J. P. Srivastava. You will have to be responsible to us. To-day they are not responsible to us at all. They can snap their fingers at anything we do.

The Honourable Malik Sir Feroz Khan Noon (Defence Member): No, no. Never.

Mr. Jamnadas M. Mehta: I can say that Sir Feroz Khan Noon's politeness is ideal, but his action has not been corresponding. That is my fear, but I still remember that there was no lack of sympathy on your part when you were in charge of the Labour Department. That I can agree, but you will be more responsible you will be directly responsible and that is

An Honourable Member: What about Dr. Ambedkar?

Mr. Jamnadas M. Mehta: The same thing.

An Honourable Member: To whom will he be responsible? Himself?

Mr. Jamnadas M. Mehta: Why? It ought to be obvious to you. He won't be in a different category from the rest.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better address the Chair.

Mr. Jamnadas M. Mehta: Very well, Sir. There is no distinction between one member and another. I simply was illustrating the position of my Honourable friends to Honourable Members. A great deal of point was made on account of the absence of the Princes. I am sorry that the Princes lingered, lingered and lingered and never came to a decision. The Princes are a liability on India and not an asset. (Interruption.) That is my view. If in 1857 Lord Dalhousie had finished them all, to-day we would have been fighting the British without any division, but we ourselves fought for them and now we find that the Princes are the greatest impediment in the progress of India. They stand out for their treaty rights. What treaty rights have they got?

Sir Muhammad Yamin Khan: Why do you want Federation with them?

Mr. Jamnadas M. Mehta: I say I do not want. I am coming to that.

Sir Muhammad Yamin Khan: Don't have them with you.

Mr. Jamnadas M. Mehta: I am sorry you do not follow the sense of my argument. The Government of India Act, 1935 is entirely unfamiliar to you from what you are saying off and on. But let me say that the Princes have delayed the measure more than anybody else, and it can be put into force without the accession of the Princes. My Honourable friend, Sir Muhammad Yamin Khan, ought to know that the Act is not absolutely dependent on the coming in of the Princes, or if it is, that Act can be amended. British India cannot wait indefinitely, that is a day's work, that is nothing. The point is, are we going to have this absurdly wretched, day to day, hand to mouth kind of Government in which there is no principle of representative membership? Why not take what is a matter of your own choice, a matter in your own hands, a matter which will be to your self-respect? That is the only thing. There are no other points that have been raised which need any argument to support. But I am quite satisfied that the present position is the worst of all. It is neither logical nor sensible. It is a monstrosity to all intents and purposes, and for a temporary release from that position my Honourable friend Pandit Nilakantha Das's Resolution offers the best solution. Sir I support.

Nawabzada Muhammad Liaquat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): Mr. Jamnadas Mehta, has hauled Sir Frederick James over the coals for having the audacity to mention Pakistan in his hearing. I do not think that there was anything irrelevant in the speech of my Honourable friend, Sir Frederick James. We are considering now as to what is best for the Government of this country. The object of moving this Resolution is to provide something which, according to Mr. Jamnadas Mehta, would be a better arrangement for the Government of India. Sir Frederick James pointed out that there were the hundred millions of Mussalmans who consider some other proposition as the best means of governing India more successfully and happily. I must say that Mr. Jamnadas Mehta who as a rule is very eloquent, on this occasion did not have his heart while he was supporting the Resolution. I feel that he himself is not convinced of either the desirability or the feasibility of the Federal Part of the Government of India Act.

Mr. Jamnadas M. Mehta: Not as a permanent measure.

Nawabzada Muhammad Liaquat Ali Khan: He says, let us have this as a temporary measure: Why? Because he feels that the Indian Members, all the Members of the Executive Council will be representative of the Members of this Honourable House. But may I point out to him that there are other direct ways of achieving that object, more wholesome and happy way of achieving that object than by enforcing this part of the Government of India Act which is dead and buried and that is agreement between the parties in the country. Why introduce something which you yourself do not believe in and which the hundred millions of Mussalmans are opposed to? Why create some situation which instead of improving the state of affairs is likely to make things worse than what they are today? Sir, as is well-known to every Honourable

1 P.M. Member of this House and the world at large, the Mussalmans of India will never accept any form of Central Government which will place them at the mercy of the majority community. Much has been made by the Honourable Members who have spoken before me, and one interruption was made by Bhai Parma Nand, that this portion of the Government of India Act is what everybody had accepted at the Round Table Conference. May I point out to him that Mr. Jinnah, who is the leader of the Mussalmans of India today, never accepted the Federal Part of the Act.

Bhai Parma Nand: (West Punjab: Non-Muhammadan): He was nobody then.

Nawabzada Muhammad Liaquat Ali Khan: My friend, Bhai Parma Nand, says that he was nobody then. Then I would like to know who was somebody at this Round Table Conference.

Bhai Parma Nand: I can mention Sir Zafrullah Khan was there.

Nawabzada Muhammad Liaquat Ali Khan: Bhai Parma Nand recognises that there were some people who were "somebodies" in his opinion.

Bhai Parma Nand: Not in my opinion but in the Government's opinion.

Nawabzada Muhammad Liaquat Ali Khan: In the few minutes which are at my disposal I do not want to be dragged into this dialogue with my friend, Bhai Parma Nand.

Some very pertinent questions have been asked by Sir F. E. James and I feel I must say something in general terms just as he has put the questions in general terms. The scheme of Pakistan, as laid down by the Lahore resolution of the All-India Muslim League proposes the partition of India into two or three or four independent and sovereign States. The meaning is quite clear. They are to be independent and sovereign in every respect. I quite agree with him that the tendency at present in the world is for co-operation between the various independent States of the world. Surely our differences with our Hindu friends are not greater than the differences between the other nations of the world. Therefore, there is no reason why these sovereign and independent States are not to be friendly to each other and work as good neighbours and as good friends and if ultimately they decide to have some sort of co-operative body for certain purposes, who am I or anybody else to stop them from doing so. That opportunity can only arise when there are established completely independent and sovereign states. Today no one can speak on behalf of those independent States. It would be for the independent States themselves to decide as to what method and machinery, if any, they would like to have for any matters that may be of common concern to them. I need not go into the scheme of Pakistan because it is well known. I have not got the time at my disposal to place the reasons before the House as to why we want Pakistan. It is recognised that the Musalmans have got very cogent and very good reasons for making that demand, but I find from the speech of my Honourable friend, Sir F. E. James, that he is worried about the defence of the country. He feels that if there are more than one State in India, the defence of the country as a whole will be weakened. I hope and believe that after the war, the United Nations and such other nations that believe in the future of humanity would devise some method, some means by which the defence of a country would not assume such an important position as it does today. I believe that if the world is to progress, if humanity is to survive, this repetition of man-slaughter every twenty years must be stopped, and if the United Nations are fighting this war only to defeat the present aggression and not to make any future aggression impossible, then I would say that all these precious lives that are being lost are being sacrificed in vain. I have no doubt in my mind that India, as a whole—by India as a whole I mean the free and independent States of India—will not desire to exploit any other country. They will be satisfied with what resources India provides them and I hope, as I have stated just now, that the United Nations who are acting together today will act together in the future for the safety of humanity and civilisation and, therefore, to me the question of defence does not seem to be such a problem that we should forget everything else; and even if the United Nations fail in their mission regarding the future, the interest of the two States of Pakistan and Hindustan would bring them together to defend their territories against any foreign aggression; because if one is gone you may rest assured the other will not survive for long whether it be Pakistan or whether it be Hindustan. Therefore, Sir, I have no doubt in my mind that once these two great nations inhabiting this sub-continent feel or are made to feel that they have a real stake in the country, they will see that no outsider can enter the borders of India.

Sir, the conception of Pakistan is complete freedom for the two major communities or nationalities or whatever you may like to call them, the Hindus and the Mussalmans, to live their own lives, to develop their own culture and to

[Nawabzada Muhammad Liaquat Ali Khan.]

follow their own ideals. We are convinced that any scheme which would force one nation or one nationality to live under the other is bound to fail. And this Federal scheme which is proposed to be enforced under this Resolution would mean the domination of Hindus over everybody else, and a situation like that, I assure you, Mr. President, will create more trouble in the country than anything else has ever done or is likely to do. I am glad my Honourable friend, Sir Frederick James, has referred to that portion of the Resolution which guarantees everything that any civilized government can guarantee to its minorities in the zones that are popularly known as Pakistan. We do believe and firmly believe that unless a Government can satisfy its minorities, it has no right to be called a civilized Government. In its own interests it must keep them satisfied because nowadays we have found what havoc fifth columnists can play in a time of crisis. Therefore, those who believe or think that that part of the Resolution is only a pious wish are greatly mistaken. We know, everybody knows, that even now under the present defective scheme that is being worked in all these provinces, in those provinces where the Mussalmans are in a majority, the minorities have been treated fairly and justly. Sir, our religion, our culture, our ideals all teach us that we must treat those who are dependent upon us—and the minorities are dependent upon the majority for their safety and their rights—not only with justice but with magnanimity. I was saying that this Resolution is a means to get something which the Congress and the Hindu Mahasabha have not succeeded in getting by means of various methods that they have adopted outside this House. This Resolution is meant for the purpose of imposing the domination of the Hindus over the Mussalmans and everybody else.

Mr. Jamnadas M. Mehta: Can't you trust them?

Nawabzada Muhammad Liaquat Ali Khan: My friend says, "Can't you trust them?" I did try to trust them and this is the result. If Pakistan has not been so popularly known before 1940, it is due to the fact that I tried to trust them and I did my utmost to trust them and to work with them. We have been forced by the treatment which was meted out to the Mussalmans in those provinces where the Hindus were in the majority to adopt this scheme.

Mr. Jamnadas M. Mehta: Why should we trust you now?

Nawabzada Muhammad Liaquat Ali Khan: My Honourable friend says, "Why should we trust you?" Well, he is trusting us. We are ruling in those provinces where we are in the majority and I have said just now that the minorities there have no just cause for any grievance.

Mr. Jamnadas M. Mehta: Little do you know.

Nawabzada Muhammad Liaquat Ali Khan: My friend, Mr. Jamnadas Mehta, says, "Little do I know". In that case, he strengthens my argument for the partition of India.

Mr. Jamnadas M. Mehta: You are always stronger; you do not realise.

Mr. President (The Honourable Sir Abdur Rahim): Order, order; The Honourable Member had his speech.

Nawabzada Muhammad Liaquat Ali Khan: I was saying, Sir, that we are opposed not only to this scheme of Federation but to any scheme of Federation of any kind which is for the establishment of one Central Government for the whole of India and which would mean the domination of one community over everybody else. I would request the Government to convey to His Majesty's Government that if they try to enforce this scheme in this country under some pressure or other, they will be making the greatest mistake. The only solution is Pakistan. Let the Hindus be free and independent and happy in their homeland and let us be free and independent and happy in our homelands.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Jamnadas M. Mehta (One of the Panel of Chairmen) in the Chair.

Bhai Parma Nand: Mr. Chairman, for reasons that must be quite apparent, I wish to intervene in this debate. It has been said with the greatest force possible that the Muslim League is opposed to Federation and that it would stick to its views at every cost. Muslim League represents one hundred million Muslims in India. They are for independence. They are a separate nation. They cannot tolerate to be under the rule of the majority. Well, that is the position of the Muslim League.

My Honourable friend, Sir Frederick James, was putting certain questions to our friends on the Muslim League Benches. So far as Sir Frederick James' views about Pakistan are concerned I entirely agree with him. His position with regard to Pakistan is quite sound and in a way represents the views of the Government of India and other impartial persons.

In the first place, I should like the Honourable Members of this House to judge the question on its merits. Let us suppose that there are two nations—Hindus and Mussalmans—in India, but at the same time they have to frame a constitution for this country. Well, one view is that this constitution should be framed by the joint consent of the two people. This is a view that is defended and in a way stressed by the Government which is ruling at present. The British Government believe that they have done one very great thing during their domination in this country and it is that they have united so many various scattered and opposing elements into one people. There is one law for all people. The desires of all are similar and their ambition also is of a similar nature. Thus having created such a political unity in this country, Government's view naturally would be that there should be one constitution for the people and they should all remain united under one constitution. But our friends of the Muslim League Party opposite hold a different view altogether. Their view is that they cannot remain under the majority, because the majority rule means domination of the Hindus in this country and they cannot tolerate that.

I should like to put one simple question to them. How is it that they are tolerating a non-muslim Government in the country? The British Rule is not a Muslim Government, in a way a third party Government, which can be said to quite impartial being neither Hindu nor Muslim. They are tolerating it and I believe they will continue to tolerate it for a long time to come, if the country is not given a free constitution? They can say that they have no other alternative but to do so, because they cannot help it. I would ask why is it that they hold those views? If they really wanted freedom and the development of their culture and religion on particular lines, may I ask why they have been sitting quiet and what have they done to get their independence? For well over a century they have not been able to do anything and, as a matter of fact, they have not made any move or any sacrifice. I would naturally tell them they have no right at this time when Government themselves are going to give us a free constitution, to demand a separate Government for themselves, and to say that they cannot tolerate the rule of the majority in this country? They have been tolerating foreign rule and they have not done anything to over-throw this rule for at least one hundred years. Simply because they think that free constitution means majority domination in this country, does not appear to me to be a sound reason for opposing the Resolution before the House.

My second point is this. Supposing we cannot agree among ourselves. The Hindus have got their own point of view and the Mussalmans have got their own and there can be no possible agreement between them. I put it to my

[Bhai Parma Nand.]

Muslim friends what do they think of the British Statesmen, British people and of my Honourable friend, Sir Frederick James? What do they think of their views and of their opinion? If two parties cannot reconcile themselves on account of their differences the only solution is that they should look at least to a third party to act as referee and accept the views which that party hold on the question. I think the British Government in a way is the third party, as it is called in India, and they have a perfect right to guide us, as they have done in various other things, in the matter of framing a constitution for India. Their guidance is very simple. They have proposed this constitution which my Honourable friend, Pandit Nilakantha Das, has suggested in his Resolution: I mean Federation. Federation was the decision of the Government as well. They agreed to it and at that time representatives of Mussalmans as well as of Hindus and other minorities agreed to have Federation in India. I cannot now see why, if a constitution is approved and decided by the Government, *i.e.*, the third party, for this country, should the Muslim League come forward to oppose it and say that they are not prepared to accept it but they are ready to make every kind of sacrifice they are called upon to make to oppose it in case this constitution is imposed on them?

The Muslims claim to be a separate entity. So far as our views are concerned we think just the other way. Our position is that at the time when these Round Table Conferences were held in London, the British Statesmen were more favourable to the Muslim representatives and when they gave the communal award we thought and even the Congress leaders thought that this communal award was a sort of pact between the Mussalmans and the British Government. Since that time this communal award has been working safely in the interest of Muslims, and all this time, we, of the Hindu Mahasabha, have been agitating against the injustice done to the Hindus by this communal award. What I submit is that this communal award was a definite evidence to show that the attitude of the Government was in no way unfavourable to the Muslim community. The Government wanted to please them, and they pleased them by this communal award. Again, when the Government approved this system of Federation, they in no way intended to go against the interests of the Muslim community in this country.

It has been urged on the floor of this House that the Muslim League is opposed to Federation, that they had no part in the Round Table Conference. I wish to say that the Muslim League in those days was quite a different body from the one which it has developed to be now. I was somewhat surprised to hear from Sir Frederick James when he was asking the Muslim League statesmen to reply to his questions. How can the Muslim League statesmen reply to his questions? The present Muslim League is only a growth of four or five years. Mr. Jinnah has organised the Muslim League on altogether a new basis. The Muslim League move is advocating Pakistan and that is opposing the unity of India. This League, however, is only a growth of five years, from 1938 to 1942. It has not yet passed the state of childhood. How can a child think seriously about the question of the future of India or about the future constitution of India? They know only one thing, and that is Pakistan. Somebody put this idea of Pakistan into their head, may be, Mr. Jinnah himself, or Chaudhri Rahimtullah or Sir Muhammad Iqbal, whoever he may be, this idea of Pakistan had been put into the ears of Muslims telling them that Pakistan ought to be their goal, ought to be the Muslim ideal. Only for the last four or five years, we hear of this cry. The Muslim League has taken up this slogan and has been carrying on propaganda in its favour. I do not say that the Muslims have no right to do so, they have got every right. At the same time I say that they cannot think of important questions that lie before the country. My Honourable friend, Nawabzada Muhammad Liaquat Ali Khan, said that defence was no matter for them, that when the country would

be free, there would be world federation and that that world federation would defend India, and that they would fight for us and that we need not have any army or any provision for our defence.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): He never said that.

Bhai Parma Nand: Yes, you will have your army only for Pakistan. I say you should have an army for the defence of the whole country. The question was put by Sir Frederick James, how are you going to defend your own country. Federation is the only way for Common Defence and it is the only method of constitution by which the countries of the world are thinking of defending themselves. But Muslim League is just on the way of dividing the country into so many parts. I say, please do not imagine for one moment that this will be the only division. If this Pakistan is granted, if this Hindu-Muslim division is accepted, then there will be other people coming forward, may be the Sikhs, or may be, the community of my Honourable friend, Dr. Ambedkar—the Scheduled classes—who may put their demand for having their own homeland for propagating their own culture. This demand for Pakistan is not going to end here, it will be extended and all the country will be divided into many different parts with the result that it would be impossible for it to defend the country from foreign aggressors. I submit this is altogether a novel demand. While all the countries of the world are going to unite themselves for common ends, for common purposes, for their economic and political ideals, we find here that on account of religious differences or cultural differences, we are going to divide the whole country into two and perhaps more divisions.

Lastly, my Honourable friend, Nawabzada Muhammad Liaquat Ali Khan, said that wherever there was Muslim rule, the minorities were quite happy. I must protest against this statement, and contradict that view. Take the case of the Punjab. For the last five years, there has been the Muslim majority rule. All these five years, the Hindus have been agitating against the communal rule. They held meetings which were attended by thousands of people. First there was the urban and rural agitation, then the agriculturist and non-agriculturist agitation and then there was the Traders' Association carrying on agitation. All these agitations were against the Muslim Government and against the Muslim communalism in the Province. Therefore, I submit that that view of Nawabzada Liaquat Ali Khan is not based on facts and is quite contrary to reality.

Maulana Zafar Ali Khan: Sir, I should like to say a few words on this important question which has been discussed on the floor of the House. Although the discussion has been ample, and the issue has been discussed from every angle of view, there is one thing left for me to add. I take this opportunity to do that. We, the Muslim community, have once for all taken our start on the path from which there is no going back. We are fully convinced that our salvation lies in Pakistan which those gentlemen who have not studied this question dispassionately look upon as vivisection of India. They call it partition of India, they call it by similar other names.

Raja T. Manavedan (Madras: Landholders): May I know, Sir, whether we are discussing this Resolution about Federation or we are discussing Pakistan?

Mr. Chairman (Mr. Jannadas M. Mehta): The Chair has already given a ruling in favour of it.

Maulana Zafar Ali Khan: The idea of Pakistan has got hold of ten crores of Muslims, and our Hindu friends and others in this country had begun to think that Pakistan must be taken for granted and their opposition was weakening. Unfortunately, however, after Sir Stafford Cripps' arrival and after the offer he made to us, the Viceroy of India in reply to an address presented by the Chamber of Commerce, Calcutta, spoke in support of *Akhanda-Hindustan*, and

[Maulana Zafar Ali Khan.]

stressed the geographical unity of India. That statement put life into those gentlemen who are of the way of thinking of Pandit Nilakantha Das and Bhai Parma Nand. They are now on their legs and they tell us that we, the Muslims, have no right to talk of Pakistan, that we have no right of establishing on the North-Western zone and on the North-Eastern zone of India sovereign states where we shall have our own laws of justice, and equity and where we shall be able to develop all our life and rise to the full height and full status of an independent people.

Well, Sir, let me open the eyes of Bhai Parma Nand who asks us what right have we to talk of separation from Hindus and what right have we not to admit that we must be governed by the majority being in a minority. I have to remind him that he has admitted himself on occasions that in this land of India there are two people—Hindus and Muslims—and they have got separate cultures, and separate ideals, and now he calls upon us to follow the commands of the Imperial Government in India, and be led by them, as the Imperial Government is very impartial and just and all that sort of thing. Bhai Parma Nand perhaps speaks for himself, and Pandit Nilakantha Das also speaks for himself, when they say that the Government of India Act—the second part of it relating to Federation—must be implemented, and immediate steps should be taken to implement it. They have perhaps forgotten that the Government of India is in the melting pot and has been kept in a state of suspended animation only by the war. The Government themselves have declared from the house-tops that after the war is over the right of self-determination and the right of self-Government will be conceded to India and it will be open to India to remain within the four-corners of the British Commonwealth or to get out of it. So, when the Government of India is gone, when the Federation has gone, when the Congress—which is the real representative of the Hindus of India—has refused to have anything to do with the idea of Federation, and calls upon the Government for a Constituent Assembly which shall draw up the constitution of India; and when even the Hindu Mahasabha does not think in terms of Federation, I am surprised to find that this question was brought up here and we are called upon to agree to Pandit Nilakantha Das's view about implementation.

Sir, I have one word to say with regard to a question which my Honourable friend, Mr. Jammadas Mehta, has put to Nawabzada Liaquat Ali Khan, when he says: "What right have you to expect us to trust you". The Nawabzada's reply was: "Because you are trusting us in the Punjab, where the Mussalmans are in a majority and the Government there is functioning unlike those provinces where the administration has been taken over by the Governors in their own hands." I should like to add to this that in the Punjab Cabinet there are two Hindu Ministers and one Sikh Minister, whereas being in a majority the Muslim Premier could have acted in the same way in which the Orissa Cabinet had acted when the Mussalmans called upon the Governor asking him to interfere because the rights and privileges of the Mussalmans were not protected there. He said: "Go to the Prime Minister", and the Minister

Pandit Nilakantha Das: To which incident does the Honourable Member refer? Is it published somewhere. I do not know.

Maulana Zafar Ali Khan: Sir, it is a public property now. Everybody knows that the rights of the Mussalmans were denied to them. There was no representation in the Orissa Cabinet for the Mussalmans and when they asked for it, the Governor said, "I am not going to interfere. Go to the Prime Minister." and the Minister said, "We will take pretty good care of protecting the rights of Mussalmans." Adjournment of the House was moved here, but the Viceroy did not allow me to move it

Pandit Nilakantha Das: I was not in the House.

Maulana Zafar Ali Khan: You perhaps do not remember.

Sir, in the Punjab we could have acted in the same way. The late lamented Sir Sikandar Hayat Khan or his successors may have told the Hindus and Sikhs, "Well, we are in the majority, we will rule; we will have our own Ministers and one Minister shall be taken from the Sikhs and one from the Hindus, but we shall have four Ministers." No. That was not done. There is equality of Ministers there, and the minorities are fully protected. If there is any real grievance it is on the part of the Mussalmans and not on the part of Hindus and Sikhs.

Let that alone. Look at the history of India for the past one thousand years. The Mussalmans have governed this country for a thousand years and during that nine hundred or one thousand years—for all that Mr. Munshi of Bombay may have to say to the contrary—the Mussalmans earned the love and the confidence and the goodwill of their Hindu subjects, I should say Hindu fellow countrymen. Could you point out any date in the British history of India when there was an Indian Commander-in-Chief or an Indian General? But during the ascendancy of the Mussalmans in India, the Commander-in-Chief of the Mughal Army was a Hindu. Similarly, many great offices were filled by the Hindus. And go to Ajmere now and study the history of Khwaja Mueenuddin Chishti's Dargah—one of the most sacred shrines of the Mussalmans in India. From the time of Akbar down to the present time there have been five or six Hindu *Mutawallees* there which shows the benevolent attitude of Mussalmans towards Hindus. The Mussalman when he gets power, uses it for the protection of the weak whereas when the Hindu gets the power he usually tries to crush the weak. There is historical testimony for it. Mussalmans in the words of the Quran say: "Let not the fact that your adversary happens to be a non-Muslim persuade you to do injustice to him; you must do justice because without justice and without equity the Muslim has no right to govern." So if we establish Pakistan and have full sovereign powers there, let me assure you that the Hindus, Sikhs, Christians and Parsis and all the other smaller communities will receive adequate protection. Let me repeat that full justice shall be done to them and they shall have no cause of grievance whatsoever.

Bhai Parma Nand: Why should the Hindus depend on the mercy of a minority?

Maulana Zafar Ali Khan: Bhai Parma Nand, let me tell the House, does not belong to the advanced section of the Hindu Mahasabha. He is ploughing his own lonely furrow and he is one of those who think that without the aid and support of the British bayonets there will be no Hinduism left. So he wants Britishers to remain as an impartial power to dispense justice as between the Hindus and Mussalmans, and remain here till eternity. Gandhiji may say "Quit India", Pandit Jawahar Lal Nehru may say "Let the British transfer their power", but Bhai Parma Nand says: "Let the British remain here till doomsday". To him England is more than what it is to English people. The Britisher says "We will give away the power; we shall allow you the right of self-determination and the right of self-Government; we shall permit you to remain within the four-corners of the British Commonwealth or leave it", but Bhai Parma Nand says: "You remain here because you are impartial and we bow down before you as we would before a Goddess". (Interruption.) You need not lecture us on the evils of Pakistan and you need not ask us not to have anything to do with the Pakistan. We know what we think good for ourselves.

Finally, Sir, let me tell you, and that is in answer to a point raised by Sir F. E. James, that if Pakistan is established, and it is a full-fledged power, a time might come when there might be danger from abroad; and if India

3 P.M.

should be invaded, Pakistan shall have to find some support from

[Maulana Zafar Ali Khan.]

somewhere. There will be a sort of confederacy then. But I say, look at the situation of the world at the present moment, when this war is going on. Is there not a confederation between England and America? Is there not an understanding between Russia and England? Is there not a pact between Germany and Italy? Those powers for military and economic purposes have come into a sort of confederacy. What prevents Pakistan joining hands with Hindu-India in order to defend India? What prevents us from entering into a pact with regard to our economic requirements and necessities? Nothing whatever. So looking at the world as it is, and looking at the morals of the world when there is a doubt on the part of certain Americans with regard to post-war problems, and there is a talk of Russia being wiped off the face of the world after England and America have gained its mastery, Muslims and Hindus will have to arrive at some sort of understanding to defend themselves against the aggression of a new power that shall come into the field. So unless we pool our resources and join our hands and put our heads together, there is no likelihood of our ever coming out of the trouble. Let me assure Sir F. E. James

Mr. Chairman (Mr. Jamnadas M. Mehta): The Honourable Member must bring his observations to a close.

Maulana Zafar Ali Khan: My time is up. So also is the time up of those against Pakistan!

Mr. Ananga Mohan Dam (Surma Valley *cum* Shillong: Non-Muhammadan): I want to tell the Members of this House that we have been elected by our people to have a responsible Government at the Centre. It is no use quarrelling with past history and telling the people that we cannot come to a solution when a solution was given to us by the astute politicians of England, who discussed the problem threadbare with the politicians of India. This war has been an eye-opener to us, and we Hindus and Muslims both think that the time has come when we shall have to take charge of our own country, defend it, govern it and look to the interests of the people and work for the future development of the country. I think there is not a single Member of this House who does not think on these lines. Now, there is some difference about these small things which we can settle easily.

My friend, Maulana Zafar Ali Khan, was just telling us that after the war there will be a new constitution for India. I also agree with him that a new constitution will be there, but for the interim period, let us come to a settlement and work the Government of the country, so that we can say that our people are governed by us and that the Members of the Treasury Benches are responsible to the people through the Legislature. This is the completion which we are all aiming at.

Sir Muhammad Yamin Khan: Not all!

Mr. Ananga Mohan Dam: Yes, we are all aiming at. I do not think there is any elected Member in this House who does not want freedom for India. There may be differences of opinion with regard to the constitution, but about the freedom of India, about a Government for India by the people and for the people, there is no difference of opinion among us. So I request my Muslim League friends to revise their position and to reconsider their decision in view of the great future of India. The Hindus, though they are in a majority, do not stand in the way of the cultural freedom of their Muslim countrymen. The Muslims abide by their own laws; they have their own educational institutions; they have the freedom of practising their religion even under the present Government, and I think they need be under no apprehension of these liberties being curtailed under the joint Government that will be formed by Hindus and Muslims and other elements in India.

The past is passed. Gandhi is not here to regulate your position. It is, we people who can come to an agreement and form an interim Government. We

have been elected by the people for this purpose. I must say to my Honourable friends that the time has come when we should think very seriously at this time of stress and trouble. We want to make our decision now or never.

Sir, it is really a matter of regret that my Muslim friends referred to their past history of India and to the superiority of Muslims over the Hindus. I shall only ask them to revise the history which they have read so long. I think they will be disillusioned. Power was not in the hands of the Muslims when the Britishers came here and made their position permanent. It was from the Hindus that it was taken. The Mogul Emperors were only puppets in the hands of the Hindus at that time. Of course, I need not quarrel over that. The thing is that we have to build the Government anew and the country anew, and we should come to an interim settlement. If my friends of the Muslim League find that the interim arrangement does not suit them, we may all agree to change the constitution, but for the time being let us agree to the solution which has already come to us. I do not think it will be in any way detrimental to their interests nor to anyone else's. But if, after working it for some time, we find—as we are agreeing now to change after the war—that it does not suit our conveniences and it does not give us what we want, then we can change it. I think this is the time to come to a settlement and establish the freedom of India and have a free Government responsible to the people through the Legislature.

With these few words, Sir, I make my suggestion.

Major Nawab Sir Ahmad Nawaz Khan (Nominated Non-Official): Sir, I do not wish to add any more heat to the debate, nor I am going to discuss the merits or demerits of this Resolution. But my only submission is that this is not the proper time for such big and controversial questions and we must postpone such big communal or controversial questions in India till a year after the war, when both the Government and all political parties in the whole country will have a better time, and more time, to think over these questions calmly and coolly. Therefore, I again request the Mover of the Resolution to think over what I have said and postpone such question not to divert the attention of the Government of India or other political parties when we are at the moment engaged to win the war, as it will not be possible for the Government to give the matter their full attention for any amicable settlement.

With these words, I resume my seat.

Pandit Nilakantha Das: Sir, I have to confess to a feeling of great embarrassment throughout practically the whole of the debate: perhaps if the intention of the Resolution is interpreted and studied in association with the speech of the Mover, he might have got more support for it. I was very careful all through never to enter into any controversy.

Sir Muhammad Yamin Khan: But the subject matter is controversial.

Pandit Nilakantha Das: As for Pakistan or Bakistan as I may call it—because the remaining land will not then be Hindustan as there will be other people also in it and, therefore, it will be Bakistan, i.e., the rest of the land—I do not stand in the way of that controversy or any negotiations or demand. You have been quarrelling and negotiating; you have been doing that so long and so far fruitlessly and nobody wants to prevent all that, if you so desire. But my feeling is that today you are practically in a vacuum you negotiate and quarrel and it leads you nowhere and you go more and more asunder. Where are you today after these negotiations and these quarrels for four years, may I ask?

Sir Muhammad Yamin Khan: Where shall we be after this Resolution?

Pandit Nilakantha Das: I am coming to that. My object is, if according to this Resolution, a constitution is established, to which all parties agreed and the Government of Britain stands pledged. . . .

Honourable Members: All parties will never agree.

Pandit Nilakantha Das: I deliberately used the past tense. I said 'agreed'. even Mahatma Gandhi, agreed there.

Sir Muhammad Yamin Khan: No, no. He did not at any time; he never attended when the final shape came.

Pandit Nilakantha Das: So far as I can say, 'all parties generally agreed and the British Government stands pledged. I stand on it still; and such a constitution will give us at least a government responsible, not to the Viceroy, not to the Secretary of State, but to the people of this country, directly or indirectly, in some way. On those Benches there will be people—who will represent interests in the country and will be responsible to their constituencies. The constitution may not be ideal, for I said I am not much enamoured of this thing and I do not also want that it should last once and for all time—and as perhaps my friend, Maulana Zafar Ali Khan, interpreted or misinterpreted Bhai Parma Nand we never want that these foreigners will always rule over us; nor do we want to prevent any negotiation. But now all negotiation is idle gossip, having to do nothing, and accepting no responsibility. Now do we really feel that we are affected in any way in any matter? Those people are doing all things for us. We say, "let them do their work." But if we had in those Benches some representatives of the people, people who represented some electorate, if, for instance, they felt that Japan is coming or Germany collapsing or things like that are happening in the world about us it would have some meaning in India. It would create a real stir in an atmosphere of reality. I say we must have some responsibility, and when we act upon it, we shall be actually deliberating and devising measures for either protecting ourselves or in shaping our fiscal policy and planning our industrial organisation and development. We shall do things like that and in doing that we shall be coming in touch with one another and we shall also be in practical touch with things, for we shall then be running our own government. After doing that, if you want to have Pakistan and Bakistan, and you come to some agreement on that, you can do that by all means. But now you have no experience; you do not come to anything; you do not come to any action. . . .

Sir Muhammad Yamin Khan: Why did not your province allow this opportunity to the Muslims?

Mr. Chairman (Mr. Jamnadas M. Mehta): Order, order: there cannot be any conversation.

Pandit Nilakantha Das: My intention is not to allow or disallow. I do not stand in the way of anybody. My position is clear and I expected that the debate would have been directed in this spirit, but somehow unfortunately, some of my friends, deliberately or without knowing it, put in some poisonous lancet into the sore. I am very sorry for it.

Sir Muhammad Yamin Khan: I knew it; I told you.

Pandit Nilakantha Das: But still I believed I knew my friends on these Benches. I thought the debate could be conducted in such a manner that my Honourable and generous friends will be satisfied that we are not going into any controversial matters; this Resolution does not stand in the way of any controversy or of any negotiations being carried on.

Something was said about the Orissa Ministry, perhaps under a misapprehension. The ministry is still working in Orissa and many of my friends might know that personally and directly I am responsible—I wrote to the President of the Congress that I do not like that we should withdraw any ministry and that if they withdrew, I would see to it that other ministries function; and so I have been directly and definitely responsible for the Ministry now working there and I can tell my Honourable friends that though the Muslim population in my province is only 1·7 per cent.—less than 2 per cent.—in the Ministry their percentage is 33-1/3 per cent.

Sir Muhammad Yamin Khan: But how many?

Pandit Nilakantha Das: One out of three.

Sir Muhammad Yamin Khan: Did you want to cut that one man in half?

Pandit Nilakantha Das: If it had been demanded I would have liked that all three or even two out of three to be Muslims. But that demand has not been made: why, I do not know. In my province, again, in the services the Muslims are not less than 20 per cent. and nobody ever grumbled. I have never heard of any demand in this poor province, in that corner, which is simply a land of the evacuees and a land of coming famine,—there is no question of Pakistan or Bakistan coming into prominence anywhere. Nobody thinks of it. We are up to now living peacefully, Hindus and Muhammadans together. I do not know what my Honourable friends will think of what I say and how it will direct their future activities. But I can assure them that in the province there is no feeling of Pakistan or Bakistan, Hindu or Muslim,—I have never heard of anything. I go to my Mussalman neighbours, I know my Mussalman Minister, they are all friends. (Interruption) Mr. Gandhi is not there.

Maulana Zafar Ali Khan: Give up the rule by majority, because 200 donkeys cannot think like one man.

Pandit Nilakantha Das: I am not in a position to accept that Hindus are donkeys and Mussalmans are men. If that is so, I am ready, quite prepared, I am convinced that in any particular area the majority are donkeys,—I have no objection.

Mr. Chairman (Mr. Jamnadas M. Mehta): Order, order. Why do you refer to it? No Honourable Member can belong to the asinine community.

Pandit Nilakantha Das: I am sure no Honourable Member in this House is not, neither in those Benches nor in the opposite Benches, that I know of—they are quite safe in my hands. But if there are any outside, I am quite prepared to adapt things to their ways to introduce democratic or non-democratic methods of evolving a constitution for them. But that is after, after the cessation of hostilities. For the present,—I may tell you that I have not spoken about the Princes in order to avoid controversy. I send out my appeal from here even to the Princes, to my friends on those Benches and to those on these benches who are now governing the country, and those in England,—to see and face the realities of the situation and to put the Indian people in touch with those realities, and that can be done only by implementing Part II of the Government of India Act, 1935. With these few words I commend my Resolution to all sections of the House.

Mr. Chairman (Mr. Jamnadas M. Mehta): The question is:

“That this Assembly recommends to the Governor General in Council to take immediate steps for implementing Part II (the part relating to Federation) of the Government of India, Act, 1935.”

The motion was negatived.

RESOLUTION *RE* PROHIBITION OF EXPORT OF TEXTILE GOODS.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I move:

“That this Assembly recommends to the Governor General in Council to prohibit the export of textile goods from India till such time as the needs of the people of the country are fully met with.”

Sir everybody is aware that the situation in the country so far as cloth is concerned is becoming acute day by day, and in a very short time we may have to face a revolution if the situation is not tackled betimes. We find that the needs of this country were fulfilled through imports of cloth from different countries, but in these days, whatever cloth is produced in the mills here—the fair portion of such goods is exported outside. It has been estimated that during 1942-43 the needs of the country will be, for the civil population only, 300 crore yards out of which the mills here are expected to produce 390 crore yards, and imports of five crores are expected—a total of 395 crore yards. Out of these 395 crore yards, 120 crores are estimated to be exported, 120 crores are estimated to be purchased by the Supply Department for the purposes of the U. K. C. C. and other similar agencies for purposes of needs of other countries. Then there remains only 155 crores. If we add the production of handlooms in

[Maulvi Muhammad Abdul Ghani.]

this country which has been estimated to be 180 crores, it comes to 355 crore yards. I have already pointed out that the needs of the civil population in matters of cloth come up to 600 crore yards. Thus, there is a deficit of 265 crore yards. You may imagine what the condition of the people of this country will be when the deficit is about 265 crore yards, and consider whether in such a case export is desirable or not.

Now, cloth which was being sold for about 2 annas a yard is being sold at about Re. 1-2-0 or 1-3-0, and judge the condition of the people with such a price. I find that the Federation of Indian Chambers of Commerce has issued an appeal to the wealthier classes of the country to purchase less cloth so that the poorer section may be in a position to get cloth. But this appeal will have no effect as the cloths are exported outside. During the period 1st September, 1939 to 30th November, 1942, there has been an export of 13,59,70,00,000 yards out of this country, and the needs of other countries have up till now been fulfilled at the cost of people of this country. You will be surprised to learn that cloths are exported to such countries which have inimical attitude towards us, for instance, 10,93,10,615 yards have been exported to Ceylon from this country during the pendency of the war. There are other countries similarly situated. So, a fair proportion of the production of this country in matters of textile goods is exported outside the country. I, therefore, thought it proper to bring this motion and I will appeal to all the Honourable Members here, particularly the Treasury Benches, to accept this motion. It is a very innocent one and it will help the people of this country to a great extent in protecting themselves. The cloth here, as Mr. Griffiths says, is not an ornament to the persons of the Indian people. It is a bare necessity and to such people, to remain naked is a sin. With these few words I move my motion.

Mr. Chairman (Mr. Jamnadas M. Mehta): Resolution moved:

"That this Assembly recommends to the Governor General in Council to prohibit the export of textile goods from India till such time as the needs of the people of the country are fully met with."

Mr. E. L. O. Gwilt (Bombay: European): Sir, I have very little to say on this. I oppose the motion on the grounds that owing to the tightening up of export quotas, a considerable amount of cloth has accumulated in Bombay, and such of it has been specially manufactured for export will be of no use in the country, unless Government wishes to commandeer it. In any event, there are many cases of special types, not necessarily suitable for local markets, and subject only to the difficulty of providing shipping space, it seems to be, in the interests of India, that the quota for export should be placed as high as possible, at any rate, until the special stocks awaiting export have been shipped. The standard cloth scheme should in itself help a great deal in solving the shortage of low-priced textiles for use in India and I understand too that an Advisory Panel is about to be appointed to assist the Export Trade Controller.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): What is the quality of that cloth which the Honourable Member thinks will not suit this country.

Mr. E. L. O. Gwilt: Any cloth which has been specially manufactured for export will presumably not be of any great value in the country.

Sir Muhammad Yamin Khan: What is that quality. Will the Honourable Member enlighten the House on that?

Mr. E. L. O. Gwilt: I cannot say more on that. If a standard of cloth has been manufactured for export, presumably it is not required in the country.

Mr. T. S. Pillay (Government of India: Nominated Official): The Mover of this motion has made a case that there has been shortage of cloth. We do not contend that there is no shortage. There is some shortage, though the Mover had gone wrong in the figures which he had given. But I wish to submit, Sir,

that a case has not been made, under present conditions, for an absolute prohibition of export. Sir, it is common ground, I take it, on the floor of the House at any rate that we are now fighting a war and that we are fighting it in company with the United Nations. It is incumbent on us I suggest that we come to the rescue of other nations in supplying the necessities of life, as we except them to come to our rescue in supplying to us our needs. Sir, it is within the knowledge of this House that at a time when the United Kingdom is finding great difficulty in finding shipping for her own food and at a time when she is rationing food on a scale much higher and much stricter than, I hope, will ever be done in this country, they have found ships to import wheat into India from Australia. It is also common ground that we must all pull together and help each other. After Japan joined the war, certain markets very near this country, stand in danger of going completely naked. It is only to clothe these countries that the Government of India have been compelled to permit certain export of cloth. We admit that in recent months there has been, what one might say on genuine supply and demand considerations in this country, somewhat an excessive export of cloth but the situation has been brought under control. We are now working to a figure somewhat nearer to above 5 hundred million yards a year. Further, we are constantly examining the supply and demand position here. The Government of India have not committed themselves to this figure and they will examine it constantly and if the situation demands it, they will restrict exports further. But I wish to contend that it is our duty to supply the markets which do depend upon us at this time, as we expect others to come to our rescue, by supplying some of our necessities.

Sir, I have only a word to add. The Government of India are taking steps to increase the production of cloth in this country. The very introduction of standard cloth and standardised specifications have made it possible for the total yardage provided to be increased. We also contemplate going into the question of increasing the production of that type of cloth which will be used by the poor. We confidently expect that, combined with the production of standard cloth, this scheme will increase the production of cloth as such in this country.

There is one final consideration not as important as one mentioned at the outset but a relevant one. Now, as usual in this country in particular, one should endeavour to meet the needs of one's customers who have been depending on us in previous times and of those who came to our aid when we were in trouble. The cotton textile industry depends, to a certain extent, upon exports. Bombay in particular have been supplying certain markets all these years and it is not reasonable to say to them, "I will not supply you, because I am finding myself in certain difficulties". Therefore, it is very important for this section of the industry to keep in touch with those markets to which they have been always supplying cloth. For these reasons, it is not possible for the Government of India to accept the Resolution to prohibit the export of textile goods from India. Sir, I oppose the motion.

Sir Muhammad Yamin Khan: It is a rather difficult now to speak and go into the question of figures after they have been quoted by the two Honourable Members who have studied this question thoroughly. I am speaking only as a layman and confess that I have not gone into these figures previously which have been quoted in this House. But as a layman I am concerned only with one point and which is really the concern of everybody in this country, namely, that everybody should have an opportunity to purchase cloth that he needs and at a proper price. What has been stressed by the Mover of this Resolution is that sufficient quantity of cloth is not available and that is the reason why the price has gone up so high which is pinching everybody's pocket, be he rich or poor. If the arguments of my Honourable friend who spoke on behalf of Government are correct and the supply of cloth is quite sufficient in this country and can meet the requirements of the people, then he ought to have given the reason why the price of cloth has gone up so high. If the price

[Sir Muhammad Yamin Khan.]

of cloth has gone up, it must be due to the ordinary principle of economics, namely, the supply is not enough to meet the demand. If the supply is less than the demand, the prices are bound to go high; but if the supply is more than the requirement, then the prices must go down. As the prices are going high, naturally we conclude that the supply is less than the demand. And if the supply and demand are not equal to each other, then bad results must follow. Therefore, it is obvious that some kind of action should be taken in this respect by the Government. The only one remedy which my friend, the Mover of the Resolution, proposed is that the export of cloth should be stopped and the Honourable Member who spoke on behalf of the Government ought to have understood very clearly what his motive was. The underlying motive is to make the cloth cheap so that it may be available to the poor people. He does not want to get into the controversy whether his figures are right or wrong or what the economic causes are. Just as we talked the other day about the question of food supply, similarly the supply of cloth is also the concern of the people. Poorer people are finding it difficult to purchase cloth because the cloth which used to be sold at 2 annas a yard is now being sold at one rupee or even more than one rupee a yard. We expected some kind of elucidation as to the reasons which have led to this emergency and the public cannot know unless they are enlightened by the experts who deal with such questions. The man in the street knows this much that the man who is selling the cloth is selling it at a higher price because he is bringing it bit by bit. He does not want to dump the whole cloth. When a thing is dumped into the country, the price goes down at once because there is lot of competition, but if the man who has got the stock brings it out bit by bit, there is not sufficient quantity in the market, and if there is not sufficient quantity in the market, the prices must go high. We want the reasons for this. Government ought to explain why the price has gone up so high.

If there is any other cause for these high prices, it ought to have been mentioned by the Government. The Government should explain why they do not want to take any action in that direction. Of course, I am not a cloth manufacturer and have never dealt with any cloth mill nor have I got any shares in any cloth mills. Therefore, I do not know anything about the cloth. My Honourable friend who spoke on behalf of Government said that some cloth is being manufactured for foreign countries and it will not be suitable for this country. This is a new thing for me because I know that in India we have all sorts of climates, as cold as that of Europe and as hot as that of Africa. In some parts of this country the temperature goes up to 120 degrees in summer whereas in other parts it is several degrees below the freezing point in winter. So any cloth which is manufactured for any foreign country can suit us in this sub-continent of ours. It is wrong to think that India is only a small country; it is a big sub-continent and in this sub-continent we have got all sorts of climates and all kinds of cloth can suit us here. So, if this cloth is not exported to other countries, it is sure to be consumed in this country. The only suggestion which the Honourable the Mover of the Resolution has made is that the export of cloth should be so handled that it may not affect the people of this country adversely. That is the crux of the whole speech. What he wants is that the cloth should be available to the public at a cheap rate. Now, he is not the expert on the subject and some other economic factors may be at work. They ought to be explained and the action which the Government is taking should be explained to the House and through this House to the public. We shall be obliged to the Government if they may not stick to the words only but the spirit of the Resolution which underlies the suggestion that has come. Whether this object can be achieved by the export, by stopping the export or by manufacturing more or by getting the stock from outside is not our look out. If there is not sufficient quantity of

cotton here, it is for the Honourable the Government Member to devise any of the methods mentioned by me or some other method. I do not want to worry so much. Any how, I believe if these methods are adopted cloth which the public is purchasing at higher prices today, will certainly come down and there will be sufficient quantity available for the poor people. That is a natural thing. Sir, the suggestion which is made in the Resolution is the only remedy and which we want the Government to adopt. Of course, to go into economic prices and academic discussions and to obtain figures to which an ordinary man can have no access, is not our concern. That is the concern of the people who do this work from day to day and from the morning till evening. We are concerned with our own professions and in our own limited sphere, we scarcely have a Secretariat to hunt out all these figures for us. We are handicapped in this matter to a great extent. Of course, if we had sufficient staff to search out these figures, we could have placed before the House a long and detailed list. Sir, I have carried on so far. With these few remarks, I support the Resolution.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, I now carry on. Sir, Man, as, Shakespeare has said, is what tailor has made him and the tailor in order to make him man wants cloth and the cloth has vanished. The condition of the market has been fully explained by my Honourable friend, Maulvi Abdul Ghani. Sir, the cloth which used to be sold at 3 annas a yard has now gone upto Rs. 1-2-0 a yard. I can tell you by my personal experience that he is perfectly right. I wanted three shirts and went to the market to buy the cloth. Last year I purchased a type of cloth—ordinary cloth—for six annas a yard, but this time three shirts have cost me Rs. 32. Now, so long as I am a Member of the Legislative Assembly getting daily allowance it will be possible for me to carry on, but once the Session is over and every pice is spent on shirts and *pajamas* what shall I do? What shall the poor man do? The poor man says *Sarkar* is his *mai bap*—father and mother—both of them; and Government should provide him with cloth. Government says purchase it from the market, there is ample quantity of cloth in stocks in India and the rise in cost of cloth is not due to export. I am afraid, we cannot agree with the gentleman who made that statement. Cloth must have gone out of India. According to my Honourable friend, Maulvi Abdul Ghani, the law of supply and demand requires that if there is very large quantity of cloth in the stocks in this country, the price should go down. I fully agree with him and hold that the shortage of cloth in the country is due to export. Cloth has gone out of India. Cloth has been supplied to Africa and Arabia and other neighbouring countries. Sir, I suggest that in the first instance stop must be put to the export of cloth and the export of textiles must be banned and this ban should be strictly observed. That is one remedy. The other remedy is suggested by the President of the Chamber of Commerce, Bombay, who requires the people to use as little cloth as possible. I am not sure that the people will mind this advice. It reminds me of the old advice given by the Railway Department to the general travelling public that before travelling put one question to yourself and that question is, will your journey help in the successful prosecution of the war and if the reply is in the negative don't travel in spite of the fact that going on travel gives some money to the Government. I feel that something will have to be done. If the Government can furnish us with statistics proving that the stock of cloth in the country is more than the requirements of the people of this country we shall have nothing to say. So long as there are no statistics given through official source we are bound to stick to our conviction that the cloth has gone out of the country and there is not sufficient quantity of cloth here. I think, Sir, the Honourable the President is coming. Therefore, I resume my seat.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I do not want to detain the House for a very long time as the Resolution is very simple and does not entail any matter of very great change in the policy of the Government of India. I only just want to make a few remarks about the statement which has been made on behalf of the Government. Government say because of shipping difficulties they cannot arrange to import cotton goods and other materials and that is why we find difficulty in this country. The point is, if Government feel difficulty in importing goods why should they offer facilities for exporting commodities from this part of the country. We never emphasised that we want to improve our import from outside so far as cotton goods are concerned or even silk goods are concerned; what we have been stressing is that our industries should develop for the people of this country and by the people of this country: and if we can develop our industries for the benefit of only the industrialist that would not be of much use. When the normal times revert probably by world competition, these very industries will have to suffer and then at that time these industrialists will not have any ground to ask for the general support of the people of this country for giving them any particular protection by raising tariff walls against import so that they may save their position and maintain themselves and their industries in a better position. At this time, certain industrialists may feel

4 P.M. that they are making better profits by exporting their products and commodities outside India, but a time will come when they may ask for raising the tariff wall in their own interest and thereby ask more or less the population of this country to contribute for their very existence. They will have no ground for that, if they are not prepared at this time to maintain themselves on a legitimate profit and if they are now anxious to maintain themselves on a high margin of profit. That is the only point we have got to stress. You can only export if there is surplus produce but if the capacity of Indian industry is only to produce as much or even less than the needs of this country, there is no sense in allowing those industries to maintain any export trade at the cost of the entire population of this country. That is all the submission which I wish to make to this House. I support the Resolution.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, I beg to support this Resolution, and I am somewhat surprised that my Honourable friend Mr. Pillay opposed it on behalf of Government. This seems to me to be rather a strange reply when the people of this country are going naked, when prices have gone up not twice or thrice or four times, but eight times, and the Government have not imposed any control on these millowners, when fortunes are made in a day, and the only reason why they do not control seems to be that Government want to have excess profits tax from them out of the blood money which they earn from the pockets of the poor.

The Honourable Sir Jeremy Raisman (Finance Member): That is a libel.

Mr. Jamnadas M. Mehta: I will prove that it is thoroughly justified. Now, tell me why did you not control cloth, when you controlled rice and wheat and other things by turns, but you have not controlled cloth. The next vital requirement of the people after food is cloth and India is a country of such divergent climates, that this country is as cold as England for some part of the year, as hot as the tropics for other parts of the year and it has temperate climate for the rest of the year. I remember once the late Sir Alexander Muddiman, during cold weather, was shivering in cold when we were taking a photograph of the Assembly Members and he told me, "Jamnadas, this country is much colder than England". Now, Sir, this city has now got four or five lakhs of people. What have you done when prices were rising to an extent which is inconceivable? Is there any Government in the country, or were the mill-owners let loose to rob the poor? Apparently the wolves of profit are let loose

on the poor people and the Government seem to be totally indifferent to their fortunes. My Honourable friend, Mr. Pillay, was not able to describe what steps he took in the Bombay City. The capitalists themselves have admitted, the great mill magnate, Sir Ness Wadia admitted that what was costing Rs. 2-8-0 to manufacture is passed out of the mill at Rs. 6-8-0. That means Rs. 4 are added simply because it passes out of the mill. What other prices are added in the process of transit to the final consumer, he could not say. Why? Why should the Government allow such a thing to be perpetrated in a time of war when the contentment of the masses ought to be their most serious consideration. Do you want the masses to take the law into their own hands. There are limits to the patience even of the weakest, even the worm may turn. I am speaking this not as one who wants to make any capital against the Government for political purposes. This, I may tell them. But others are making capital, who do not care for the nakedness of the people. They use it for exploiting the miseries of the poor to extend their own political ends. In between the two, forty crores of people have no one to look to for their protection. I at least must expect Honourable Members who belong to the Indian community, I must also expect my Honourable friends from the European Group, because I am sure they have as much human consciousness as we have, I expect the Indian Members of the Executive Council to make a stand for the poor in the matter of the absolutely essential clothing. Sir Ramaswami Mudaliar promised standard cloth in April, 1941. Today we are in February, 1943, yet it is as much beyond the reach of the poor as it was in 1941. Therefore the original position of unlimited exploitation by the millowners and making unlimited profit out of the miseries of the poor continues unabated under the very eyes and nose of the Government who seem to be supremely indifferent to the results. Do they realise that the masses of the people of this country already enfeebled by a very low standard even before the war, harassed by lack of food supplies during the last 24 years, are now virtually turned into naked people for want of decent cloth to cover their nudity. In the last war, it was said that such was the shortage of cloth and such were the high prices of cloth that two Bengali ladies, one a mother and the other a daughter, or one a mother-in-law and the other a daughter-in-law, they had only one sari between themselves and when the one went out, the other had to remain indoors because she had no means of showing herself outside the house.

The Honourable Malik Sir Feroz Khan Noon (Defence Member): That is due to lack of money and not clothing.

Mr. Jamnadas M. Mehta: If I have money I cannot buy cloth because it has become dearer, it is dearthness of cloth. Cloth, you may give, and I will never become nude. I will pay, but everybody cannot pay at such a colossal rate as eight times or four times which the present conditions require. I therefore earnestly request to remind the Honourable Members that they have got many enemies. They seem to be completely oblivious that they are surrounded by a population which is unfriendly, that that population has a sufficiently well developed sense of patriotism that they will stand up to the last when the question of national security is concerned. The workers have to. The Honourable Sir Edward Benthall paid a very high compliment to them the other day when introducing the Railway Budget, and what is true of railway workers is true of all workers. They are not interested in any of the disruptive movement until you throw them in the arms of disruptive element because for want of food or clothing. What is their interest in supplying cloth to the foreigners to the extent of eliminating the ordinary loyalty of the poorer people in this country. I do not understand. Do you know there are other requirements? There is so much shortage of cloth. By three months of strike of workers at Ahmedabad—they enforced lock-out by political elements—they have starved the workers there of food and the country of cloth for three

[Mr. Jamnadas M. Méhta.]

months. And what are the Ahmedabad millowners now doing? They were bound by some contracts into which they had entered with the dealers. but because the Mills were closed they say: "No, these contracts are invalid. If you want the cloth we will charge the November price". Government knows that Sir Jeremy Raisman has got a telegram from Ahmedabad from an institution which says that the dealers are determined to have it at the old rate, the manufacturers refuse to give it at the August rate, because the difference is three and a half crores, and ultimately there will be a compromise between these two exploiters and the worker will have to pay at least two crores extra, although the prices in August were not so high as now. Some social organisation had offered Government to purchase the whole of that cloth for distribution among the poor at the fixed rates if only Government would put their hand in the matter, but my informant tells me that Sir Jeremy Raisman has not yet given any hope.

The Honourable Sir Jeremy Raisman: Since my name has been brought in and I do not intend to make a speech, may I say that I have not got the slightest knowledge of what the Honourable Member has been talking about.

Mr. Jamnadas M. Mehta: That means that the correspondence addressed to him does not reach him.

The Honourable Sir Jeremy Raisman: It may mean that the information given to the Honourable Member was incorrect.

Mr. Jamnadas M. Mehta: No. Copies of telegrams are sent to me. If you are simply short of the information I shall tell you that the gentleman saw me in Bombay and came here to see me and he is a President of the Rural Organization of many years standing, and he says in so many words that he addressed that telegram to the Finance Member pointing out that the Ahmedabad Millowners and cloth dealers were each trying to get the cloth at August prices so far as the dealers were concerned and November prices so far as the manufacturers were concerned, and they will ultimately make up and share the loot half and half and the poor people will get the pinch. If you want to know the name I may tell you that he is Mr. Ram Rai Munshi. He has not received any response from the Government. If you want more information I shall be glad to supply you if you can do anything before this scandalous deal is completed by the millowners and the dealers. If you scratch them you will find these capitalists to be devoted to love of non-violence—the people who profiteer, the people who starve the poor people, who leave the masses nude, people who do not care for the wives and children of their fellow-countrymen, these people are those people who want power for themselves . . .

The Honourable Sir Jeremy Raisman: These are also the people who blame the Excess Profits Tax, and I am sorry to see that my Honourable friend has subscribed to the same vicious plea. . . .

Mr. Jamnadas M. Mehta: I shall be very happy to correct myself, but I do not believe in telling a fiction and sticking to it. But when news reaches me repeatedly from quarters which are undoubtedly very sincere, whatever may be their source of information, it is my duty to bring it to your notice.

I have nothing more to say on this question except that Government should revise their opinion. How is the foreigner entitled to any priority when one woman or child in this country is waiting for a piece of cloth. Tell me. Government stands arraigned before the bar of public opinion in this country as being absolutely indifferent to the cloth supply. I do hope they will vindicate themselves and disprove this charge which is made against them.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the question of the supply of cheap cloth for the poor is of second importance to the supply of foodstuffs. We know very well that in the Bombay Presidency they grow more cotton than foodstuffs because it pays better, and the Bombay Presidency has specialized in the production of

textiles, so much so that the whole of the textile industry is now being gravitated to Bombay side and shifted from the United Provinces and the Punjab. In this case if we have to equalize the consumption, the Government ought to take some steps in this matter. I am not concerned with any correspondence or any action which the Finance Member may have taken in this matter, but what I am most concerned with is that we should have some kind of standard cloth for the poor people.

My Honourable friend, Mr. Jamnadas Mehta, raised the question of profiteering to which the Finance Member retorted that he gets the money back in the form of Excess Profits Tax. Now, this money is collected from the poor people because as soon as you raise the price the burden falls on the poor people. So, in other words, it means that he is collecting, in an indirect manner, the excess profit from the poor people and not from the rich. It seems desirable to my mind that the Legislature should step in and request the Government to take action on our behalf, that is to go carefully through their cost of production and give them only four per cent. profit for the benefit of the poor people, and whatever prices could be obtained by calculation after conceding them a profit of four per cent. we should compel them to produce cloth at that for the benefit of the poor people. We do not say that they should concentrate their attention entirely to this class of cloth but, at any rate, we ought to press that at least 15 per cent. of their production should be set aside for the poorer people, for the production of standard cloth, on which their margin of profit should only be 4 per cent. This calculation of their profit can be done by a small committee under the guidance of a Member of the Government of India with which the representatives of the consumers should also be associated. The price should not be fixed only by the producers, but also by the representatives of the consumers, and when we are satisfied at what price it should be sold we should press them first directly and afterwards by ordinance and law that they must set aside at least 15 per cent. of their production for standard cloth at a price in which the margin of profit may only be 4 per cent. and not more. If this is done, then I do not mind in what way the cloth is being consumed otherwise, and I may tell you that the feeling in the United Provinces and the Punjab is very acute on this particular point and they accuse the Government for helping the Bombay Presidency by taking the food from these two provinces to Bombay. I think this is right.

I think they should compel these Bombay textile owners to help the people who supply them with food. If you follow the policy of reciprocal help, i.e., give to the other provinces where they are short, there will be a feeling of mutual sympathy, which is exceedingly desirable. I therefore press once more that the Government of India ought to compel every textile industry to produce standard cloth to the extent of 15 per cent. of their total production, and the prices should be fixed by a special committee in which the consumers are represented as well as the merchants, and the profit should not be more than 4 per cent.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): The question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the question be now put."

The motion was adopted.

Maulvi Muhammad Abdul Ghani: Sir, when I tabled this Resolution I expected that the Government Members should be well armed with figures on the subject, but it is very disappointing indeed that neither does he accept the figures given by the Mover nor does he give any figures of his own. He is in a better position than I am to know the exact figures. I can assure him that I have utilised the figures given to my reply by the Government on my starred question No. 98, dated 16th February, and also on the figures given in

[Maulvi Muhammad Abdul Ghani.]

the table of Supplies Demand and Net Supplies as indicated by the Federation of Indian Chambers of Commerce in a recent communication. These figures have been utilised by the President of the Indian Merchants' Chamber Bombay in his last presidential address in January, 1948, and up till now the Government are not in a position to challenge those figures.

It has been said that there is difficulty in importing goods from outside on account of shipping difficulties: but I may in the same way say that there must be also shipping difficulty in exporting cloth from this country to foreign countries. As regards the plea that foreign markets should be maintained in the hope that good relations should continue, I do not think this has any force, when the needs of the people of the country are not fulfilled. How can then the export of textile goods to foreign countries be justified?

It has been said that standard cloth is going to be made. I heard about it in December last, and on behalf of the Government the Commerce Member said that the poor people would have their standard cloth by the middle of January. When January came it was said that the cloth would be available in February. Early in February we were told that the cloth would be in the market by the middle of March, and now we are told that it will be by the middle of April. I cannot say how many middle-months will have to pass before, or within what period, this fabulous standard cloth will be available for the poorer sections of the population.

In moving the Resolution, I said that appeal after appeal had been made by the various Chambers to the various sections of the people to purchase less cloth, but the purchases made by the Supply Department are increasing every year. You will find that during 1939-40 the quantity purchased by the Supply Department was 80 crores yards: in 1940-41 it went up to 60 crores yards: in 1941-42 it was 100 crores yards: and for 1942-43 the estimated purchases by the said Department come up to 120 crores yards. So while the poorer sections of the people of this country are feeling the pinch of the paucity of cloth, the Department of Supply is raising their purchases. At the same time Government is allowing exports. I have pointed out that there is a deficit of 265 crores yards in this country and that statement has not been rebutted. Again I should say that in the face of such a great deficit, exports should not be allowed.

The Honourable Member has said that it is very difficult for the Government to have total prohibition. I do not want that he should impose total prohibition: but why not partial prohibition so that the poorer sections may get some relief. Besides, you have already imposed restrictions on the mills. They cannot prepare fine cloth or fine threads. You should try and remove those restrictions so that the mills may get facilities and produce larger quantities of cloth and it is time that the Government should stop exports and that the purchases made by the Supply Department for certain agencies outside the country should be decreased, or at least limited. I find that imports have decreased; in 1939-40, the import of foreign cloth was 579.1 millions; in 1940-41, it came down to 447 million yards and in 1941-42, to 181.3 million yards and now it is estimated to come down to 50 millions, but on the contrary export is increasing by far. It was in 1939-40, 359 millions; it went up to 554.6 million yards in 1940-41 and 985.6 millions in 1941-42 and now it is estimated to come to 1200 millions yards in 1942-43.

Sir, I think I have established my case and I do not think that the Honourable Member should object to the correctness of figures when he does not give any figures at all. In view of this serious shortage of cloth in the country, I would urge upon the Government to reconsider their position and help the people of this country in the bare necessities for covering their persons.

Mr. T. S. Pillay: Sir, may I have your permission to give one or two words of explanation?

Mr. President (The Honourable Sir Abdur Rahim): Yes.

Mr. T. S. Pillay: When the Honourable the Mover and one member on behalf of the European Group made some comments on this Resolution, I waited for a second or two so that I might know whether other speakers wanted to say anything. I noticed there were none and so I tried to explain the Government's point of view on the speeches made so far. I had necessarily to confine myself to the wording of the Resolution, which runs:

"That this Assembly recommends to the Governor General in Council to prohibit the export of textile goods from India till such time as the needs of the people of the country are fully met with."

I confess I did not go into the further extensions of it as my Honourable friend, Sir Yamin Khan, wanted me to do. Sir, as you are aware, two full days and one additional day have been allotted to discuss problems connected with the supply of the necessaries of life, including cloth. The several questions that have been raised will be answered on behalf of Government, in so far as they relate to cloth, by the Commerce Department on Monday. So, I do not consider it absolutely relevant to the issue to go into explanations of the prices of cloth and other matters raised by my Honourable friend, Mr. Jamnadas Mehta and others. Sir, one or two points were made by me, which apparently have not been heard properly on the other side of the House. I did not say that there was no shortage of cloth. I only said there were some differences of opinion as to the statistics quoted, but Government did admit that there was shortage of cloth; and I ventured to proceed to argue that on that ground you cannot completely prohibit the export of cloth; and I thought I gave the reasons that have influenced Government to allow exports of cloth in limited quantities. There is no question at all of Government not trying to restrict exports. I want to emphasise that we have been restricting exports, and we propose to restrict them progressively, and I do contend—and I thought I made out a fairly convincing case to show—that India cannot at this stage refuse cloth to those people who have been dependent on her for such a long time and others of United Nations also must be served on humanitarian grounds, if nothing else. It was mentioned that I pleaded shipping shortage for importing cloth. I never referred to import at all. I only quoted the example of taking wheat from Australia and assistance in other matters from the United Kingdom, at a time when things are in great shortage there, just to illustrate my argument that even when they are in shortage they are not arguing that they must look to themselves first—they are coming to our help in a spirit of co-operative manner: in the same manner, I tried to argue that we should help others at a time when we are fighting a common enemy.

Upon other points I do not wish to tire the patience of the House—I shall reserve the right to reply to deal with the points raised by Sir Zia Uddin Ahmad and other Honourable Members when dealing with the supply position as regards food stuffs and cloth on Monday next.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That this Assembly recommends to the Governor General in Council to prohibit the export of textile goods from India till such time as the needs of the people of the country are fully met with."

The Assembly divided.

AYES—18.

Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Ahsan, Mr. Muhammad.
Azhar Ali, Mr. Muhammad.
Bhutto, Mr. Navi Baksh Illahi Baksh.
Das, Pandit Nilkantha.
Essak Sait, Mr. H. A. Sathar H.
Fazl-i-Haq Piracha, Khan. Bahadur
Shaikh.
Ghiasuddin, Mr. M.

Liquat Ali Khan, Nawabzada Muhammad.
Mehta, Mr. Jamnadas M.
Murtuza Sahib Bahadur, Maulvi Syed.
Nairang, Syed Ghulam Bhik.
Siddique Ali Khan, Nawab.
Yamin Khan Sir Muhammad.
Yusuf Abdoola Haroon, Seth.
Zafar Ali Khan, Maulana.
Zia Uddin Ahmad, Dr. Sir.

Abdul Hamid Khan Bahadur Sir.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Aiyar, Mr. T. S. Sankara.
 Ambedkar, The Honourable Dr. B. R.
 Anthony, Mr. Frank R.
 Benthall, The Honourable Sir Edward.
 Caroe, Mr. O. K.
 Chapman-Mortimer, Mr. T.
 Dalal, Dr. Sir Ratanji Dinshaw.
 Dalpat Singh, Sardar Bahadur Captain.
 Dumasia, Mr. N. M.
 Gwilt, Mr. E. L. C.
 Haider, Khan Bahadur Shamsuddin.
 Imam, Mr. Saiyid Haider.
 Ismaiel Alikhan, Kunwer Hajee
 Jawahar Singh, Sardar Bahadur Sardar
 Sir.
 Kamaluddin Ahmad, Shamsul-Mlema
 Kushal Pal Singh, Raja Bahadur.
 Lawson, Mr. C. P.

Mackeown, Mr. J. A.
 Miller, Mr. C. C.
 Muazzam Sahib Bahadur, Mr. Muhammad.
 Oulsnam, Mr. S. H. Y.
 Pai, Mr. A. V.
 Pillay, Mr. T. S.
 Raisman, The Honourable Sir Jeremy.
 Raper, Sir Hugh.
 Richardson, Sir Henry.
 Sahay, Mr. V.
 Shahban, Khan Bahadur Mian Ghulam
 Kadir Muhammad.
 Spear, Dr. T. G. P.
 Spence, Sir George.
 Stokes, Mr. H. G.
 Sultan Ahmed, The Honourable Sir.
 Thakur Singh, Major.
 Trivedi, Mr. C. M.
 Wood, Major-General E.

The motion was negatived.

RESOLUTION RE GRIEVANCES OF OFFICIALS AND SECRETARIAT ASSISTANTS EMPLOYED IN RAILWAYS.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan) : Sir, I move:

"That this Assembly is satisfied that the remedies now open to Railway officials and secretariat assistants employed in railways against supersessions, discriminations, discharges and dismissals are illusory and ineffective, and recommends to the Governor General Council to devise suitable machinery for the effective redressal of the aforesaid grievances, and, by entrusting the investigation and disposal of such grievances to an independent body the Public Service Commission."

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly is satisfied that the remedies now open to Railway officials and secretariat assistants employed in railways against supersessions, discriminations, discharges and dismissals are illusory and ineffective, and recommends to the Governor General Council to devise suitable machinery for the effective redressal of the aforesaid grievances, and, by entrusting the investigation and disposal of such grievances to an independent body the Public Service Commission."

Mr. President (The Honourable Sir Abdur Rahim): There are two amendments given notice of. The first one is in the name of Mr. Muhammad Azhar Ali.

Mr. Muhammad Azhar Ali: I do not move it, Sir.

Mr. President (The Honourable Sir Abdur Rahim): What about the second one?

Nawab Siddique Ali Khan (Central Provinces and Berar: Muhammadan): I move it, Sir. I move:

"That at the end of the Resolution the following be added:
 'on which the Muslims are adequately represented'."

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That at the end of the Resolution the following be added:
 'on which the Muslims are adequately represented'."

Now, discussion will take place on both the Resolution and the amendment.
Mr. Jamnadas Mehta.

Mr. Jamnadas M. Mehta: Sir, this Resolution represents the experience of 13 years of railwaymen's grievances and hardships. They were not picked up at random. They have been impressed on my mind through the closest and most intimate association with railway workers of all types, from the humblest gangman to a very high officer who is an Indian, sometimes an Anglo-Indian, and sometimes even a European. And I have not brought this resolution so long because I had hoped that in the several cases which I have presented to the different General Managers and sometimes to the Railway Board and sometimes to the Honourable the Railway Member—I had not thought it before the House in the hope that their sense of right and wrong will

assert itself, that they will not consider that action taken is sacrosanct and cannot be challenged, that it shall be thoroughly examined when a grievance is made of any action of the railways, whether the railway administrations or the Railway Board. But I cannot say that I am satisfied with the machinery provided by the Government for the redressal of these grievances about supersessions. The most loudly complained of are supersessions, which cause a serious sense of injustice among those who are affected, and those men are highly educated sometimes and they feel it like a thorn in their flesh that the whole decision taken about them was outrageous, utterly false, wholly unjust, and yet although there was a show of a machinery, in actual fact it came to very little. I can give you cases in any number. My office of the Railwaymen's Federation is choking, absolutely choking with palpable cases of gross injustice, but when I approach the Railway Board these gentlemen tell me, "Mr. Jamnadas, we are not superhuman beings, we are not super-men, we apply our Christian conscience to every case that is placed before us and we arrive at a fair decision". When the Railway Board pleads a religious defence against injustice I cannot challenge because I am sure they have a conscience and a Christian conscience. But the Christian conscience does not prevent Hitler from being a marauder and a slaughterer of the human race over three continents, all in the name of Christianity. And the British Empire consists of, I do not know, one third or one fourth of the surface of the globe, all acquired according to Christian conscience. The only trouble is that people do not believe that. When in Kenya the Christian conscience of the white settlers compelled them to whip the natives as they were called or to levy one pound of tax *plus* labour where was the Christian conscience?

Similarly, in India you find that in the railways at any rate these officers and secretariat assistants have certain formal prescribed remedies against injustice. They are told that they can appeal to the Governor General in Council. Now, I ask the Honourable the Railway Member to tell me whether the Governor General can ever get time to bring to bear his fresh mind on a serious case of injustice when the case has to be reported upon by the men, who have done injustice themselves or who are the accused, so that, when the Governor General might sit down to consider any application, if he ever gets time, the men who are there in front of him have already prepared a case, one sided, to which this man is never allowed to reply and as a matter of course in ninety cases out of a hundred, what has been done by the lowest foreman or even a little higher officer stands good and true, till His Excellency the Governor General has passed his own version of it. This is not a fanciful picture. I will give you a case of an Anglo Indian at Jhansi in the G. I. P. This man was Superintendent of Stores at Jhansi. On a certain date he was asked to give delivery of certain old stocks, according to the usual method. The procedure prescribed for this was followed by this man literally and it turned out, I do not know how, that there was some *gadbad* in the officer issuing that order and in order that he may not suffer, this officer said 'You have acted improperly and irregularly. You are suspended and your case will be examined shortly'. A *prima facie* inquiry was made and before he could give his statement, he was called to Bombay and there is a wire saying 'Come to Bombay' where he was told 'You are going to be dismissed. Better resign. We shall see that you suffer the least'. He said 'No. I am absolutely innocent. I have obeyed the orders which were issued'. Ultimately he was absolutely terrorised and coerced into resignation. His poor wife was threatened with all sorts of consequences, if the husband did not resign. I can give the names and the details. The man was thus made to resign and then it was said that he was conscious of his guilt and, therefore, he resigned and there is no claim.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): What sort of date?

Mr. Jamnadas M. Mehta: This took place about six years ago. It is the case of an Anglo Indian and his wife. For six years, they had to live in

[Mr. Jajnadas M. Mehta.]

Bombay in ignominy as rogues who had stolen public property, when the real rogues according to him escaped. He tried in every possible way to get justice but the usual reply was 'We have already gone through it and nothing can be done'. Why was he called, before his evidence was taken, to Bombay—Matunga from Jhansi. There is nobody able to reply. I have got the telegram which he received. It was practically an order that he must come down and when he came down his evidence was not taken. He was told that he wantonly resigned because he was guilty. This poor employee was getting Rs. 600 and his wife and children were living in a state of disgrace for several years in Bombay society. Thank God, that poor man has now got some employment, but it is as much to the interest of the Railway Administration that they should provide this man an effective and absolutely safe and certain machinery which is above board. A superficial inquiry by the Governor General in Council can never be effective. I do not mind retaining the Governor General's ultimate control. The Federal Public Service Commission might make a report. I do not mind if the Governor General in Council takes the last step about it on his own responsibility but there will be a machinery competent, organised and permanent machinery which is specifically devoted to such work and which alone can inspire confidence. Therefore, I ask that these people must get that kind of relief.

There is one more case which I shall refer to before closing my observations this evening. A European lady was travelling with a maid servant in a first class compartment. The Travelling Ticket Inspector warned her that during day it was not permissible. So, the lady got down. The next day, sometime later, he again found the woman servant closeted in the first class compartment. So, at the next station, he called the Station Master and in his presence he asked this lady either to remove this woman or she would be excessed. She was not removed and so, with the consent of the Station Master, she was excessed. There was a hue and cry raised by this lady that this Travelling Ticket Inspector insulted the modesty of the woman and he was immediately suspended by the Railway Administration. This was on the North Western Railway.

The Honourable Sir Edward Benthall: Can you give me the date?

Mr. Jajnadas M. Mehta: This happened about seven years ago. I will come to more modern ones. I want to show that this iniquity is one of long standing and has been going on for the last ten years. It has been a continuous sink of iniquity, according to this harassed railway servant. This man was suspended and he was discharged. The Station Master said that he had done nothing of the kind and the Court acquitted him. So, he was reappointed and next day he was given a notice of discharge with one month's salary. In the meantime, the lady was not quite satisfied and her father who was a military officer in Rawalpindi, I am told, consulted some local lawyers. They advised him to prosecute this man for insulting the modesty of a woman. So, he was actually prosecuted in a common court of law. The magistrate convicted him. This man was so sure of his innocence that he sold his wife's ornaments and with Rs. 4,000 he pursued his quest for justice and went to the High Court which quashed the proceedings and severely criticised the magistrate for convicting an honest servant. But he is no longer in the railway service. All his life's savings and all his wife's ornaments were frittered away in an attempt to get justice; but by the time he got justice, the Railway had made up their mind not to keep him.

The third case which I would like to give to the Honourable Member . . .

Mr. President (The Honourable Sir Abdur Rahim): It is now 5 o'clock and I must adjourn the House.

The Assembly then adjourned till Eleven of the Clock on Friday, the 19th February, 1943.

LEGISLATIVE ASSEMBLY

Friday, 19th February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

COMMITTEES AND CONFERENCES CONVENED BY COMMERCE DEPARTMENT.

140. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Commerce Member please lay a statement on the table showing the purpose, the names of members and the cost of all Committees and Conferences convened by his Department between October, 1941 and January 1943?

(b) Will he place a copy each of the proceedings of all such Committees and Conferences in the library of the House?

Mr. T. S. Pillay: (a) A statement giving the required information is laid on the table of the House.

(b) Copies of the proceedings have been placed in the Library, except those of the Sixth Price Control Conference which have not yet been printed and which will be placed in the Library when ready.

Statement showing the purpose, the Names of Members and the cost of Committees and Conferences convened by the Department of Commerce between October 1941 and January 1943.

1. POWER ALCOHOL CONFERENCE.—21st July, 1942.

(To discuss the question of increasing production of power alcohol in India.)

1. The Honourable Dewan Bahadur Sir A. Ramaswami Mudalliar, Member (Commerce). 2. Mr. A. Q. Waugh, C.I.E., I.C.S., War Production Commissioner (U. P. Government). 3. Mr. B. R. Tandon, I.C.S., Deputy Secretary to the Government of the Punjab, Home Department. 4. Mr. Karam Chand Thapar, Chairman, Indian Sugar Syndicate, Calcutta. 5. Mr. G. D. Grant, c/o Begg Sutherland and Co., Cawnpore. 6. Mr. Sri A. S. V. N. Apparao Naidu Garu, Vizag Commercial Corporation, Vizagapatam. 7. Mr. Jewanlal Chotalal, Kesar Sugar Works, Behari. 8. Mr. K. K. Birla, c/o Birla Brothers, Calcutta. 9. Mr. S. G. Nevatia, c/o Birla Brothers, Calcutta. 10. Mr. T. V. A. Iswaran, Chairman, Mysore Sugar Co., Ltd., Mysore. 11. Mr. H. G. Russell, Government of India. 12. Mr. N. C. Mehta, Sugar Controller, Government of India. 13. Mr. Lalk Ali, General Director, Hyderabad Construction Company, Hyderabad. 14. Mr. S. L. Malhotra, c/o Motilal Padampal Sugar Mills Co., Ltd., Champaran. 15. Mr. P. D. Singhania, c/o Motilal Padampal Sugar Mills Co., Ltd., Champaran. 16. Lala Shankarlal, Curzon Road, New Delhi. 17. Mr. R. N. B. Brunt, Burmah Shell Co., New Delhi. 18. Lt.-Genl. T. J. Hutton, Secretary, War Resources Committee, New Delhi.—Cost—Nil.

2. PAPER CONFERENCE.—24th September, 1942.

(To discuss measures for augmenting the production of paper in India.)

1. The Honourable Mr. N. R. Sarker, Member (Commerce). 2. Lt.-Gen. T. J. Hutton, Secretary, War Resources Committee. 3. Mr. T. S. Pillay, O.B.E., Joint Secretary, Commerce Department. 4. Mr. H. C. Prior, C.I.E., I.C.S., Secretary, Labour Department. 5. Mr. S. H. Zaheer, I.C.S., Additional Dy. Secretary. 6. Mr. R. K. Mitra, I.C.S., Controller of Printing and Stationery. 7. Sir L. Mason, C.I.E., O.B.E., M.C., Supply Department. 8. Mr. A. E. Hampson, Director, Miscellaneous Stores, Supply Department. 9. Col. L. Rayneau, of the M. G. O. 10. Mr. M. P. Bhargava of the Forest Research Institute, Dehra Dun. 11. Mr. R. W. Mellor, Chairman of the Indian Paper Makers Association. 12. Mr. Toddman of the Indian Paper Makers Association. 13. Mr. Shanti Prasad Jain and Messrs. Sastri Narain Kapur, Baldeo Das Bajoria, G. P. Birla and L. S. Bisht. 14. Dr. M. M. Junaid, M.A., Ph.D. (Lond.), Research Officer.—Cost—Nil.

3. SECOND COFFEE CONTROL CONFERENCE.—20th October, 1941.

(To consider the question whether the Coffee Control Scheme should be continued by statutory legislation and, if so, in what form.)

1. The Honourable Dewan Bahadur Sir A. Ramaswami Mudalliar, Member (Commerce). 2. Mr. T. S. Pillay, O.B.E., Deputy Secretary to the Government of India, Department of Commerce. 3. Mr. H. M. Hood, I.C.S. (Adviser to H. E. the Governor of Madras). 4. Mr. J. W. Prichard, I.C.S. (Chief Commissioner, Coorg). 5. Sir F. E. James, M. L. A. (Madras). 6. Mr. T. G. Rama Iyer (Mysore State). 7. Dr. W. Burns, Agricultural Commissioner with the Government of India. 8. Mr. P. H. Rama Reddi, Director of Agriculture, Government of Madras. 9. Mr. W. K. M. Langloy, Calicut. 10. Mr. N. G. B. Kirwan (Mysore). 11. Diwan Bahadur K. Chenzappa (Coorg). 12. Mr. Sylvester Pais (Chikmagalur). 13. Mr. M. L. Nagappa Setty (Chikmagalur). 14. Captain A. R. Hill (New Delhi). 15. Mr. Periasam Nadar (Mangalore).

4. FIRST RUBBER CONTROL CONFERENCE.—27th January, 1942.

(To consider measures for (1) increasing the production of raw rubber and (2) regulating the production of various classes of rubber manufactures.)

1. The Honourable Dewan Bahadur Sir A. Ramaswami Mudalliar, Member (Commerce). 2. The Honourable Sir Alan Lloyd, C.S.I., C.I.E., I.C.S., Secretary, Commerce Department. 3. Dr. T. E. Gregory, Economic Adviser to the Government of India. Commerce Department. 4. T. S. Pillay, Esq., O.B.E., M.A., B.L., Dy. Secretary, Commerce Department. 5. S. R. Zaman, Esq., I.C.S., Additional Dy. Secretary, Commerce Department. 6. G. Swaminathan, Esq., Under Secretary, Commerce Department. 7. Rai Sahib P. M. Mukerji, M.A., Assistant Secretary, Commerce Department. 8. L. Mason, Esq., C.I.E., O.B.E., M.C., I.F.S., Dy. Director Genl., Supply. 9. A. P. Hume, Esq., I.C.S., Deputy Secretary. 10. Lt.-Col. E. Bader, R.E., Director, Vehicles. 11. Sir Kenneth Mitchell, C.I.E., I.S.E., Consulting Engineer to the Government of India (Roads). 12. Mr. P. Kurian John (Controller, Indian Rubber Licensing Committee). 13. T. M. S. Mani, Esq., I.C.S. 14. Sir Frederick E. James, M.L.A. 15. Mr. J. E. Pitzalrn. 16. Mr. L. J. T. Polgreen. 17. Mr. F. F. M. Ferguson (Dunlop Rubber Company). 18. Mr. H. K. Hirth (Firestone Tyre and Rubber Company of India, Limited). 19. Mr. A. Roy Craven (India Rubber Manufacturers, Limited). 20. Mr. V. Kivac, Bata Shoe Company. 21. Mr. J. Bartos, Bata Shoe Company. 22. Mr. S. K. Pathak (Bengal Waterproof Works (1940) Limited). 23. Mr. J. P. Anderson (Dunlop Rubber Company). 24. Mr. F. R. Bunker (India Tyre and Rubber Company). 25. Mr. R. D. Thomson (Goodyear Tyre and Rubber Company).—Cost—Nil.

5. SECOND RUBBER CONTROL CONFERENCE.—28th September, 1942.

(To discuss (1) a scheme of Government purchase of all rubber produced in India and (2) stimulation of rubber production and constitution of a Central Rubber Production Board.)

1. The Hon'ble Mr. N. R. Sarker, Member (Commerce). 2. Mr. T. S. Pillay, O.B.E., Jt. Secy., Commerce Department. 3. Sir F. E. James, O.B.E., Rubber Adviser. 4. Rai Sahib P. M. Mukerji, M.A. Asstt. Secy., Commerce Department. 5. Lieut.-General T. J. Hutton, Secy., War Resources Committee. 6. Mr. J. P. Anderson, Controller of Rubber Manufacturers, D. G. Supply. 7. Mr. S. Bhoothalingam, I.C.S., Dy. Secy., Supply Department. 8. Mr. L. A. Chapman, I.C.S., Jt. Financial Adviser (Supply), Supply Deptt. 9. Mr. A. A. Hiley, I.C.S. Under Secretary, E. H. and L. Department. 10. Mr. Kurian John, Controller, Indian Rubber Licensing and Control Committees. 11. Mr. G. Parameswaran Pillai, Chief Secretary to the Govt. of Travancore. 12. Mr. K. R. Narayana Iyer, Director of Agriculture, Travancore. 13. Mr. J. E. Piccairn, Chairman of Rubber Growers' Association of the United Planters' Association of Southern India. 14. Mr. A. V. Thomas, Chairman, Rubber Growers' Association. 15. Mr. G. P. White. 16. Mr. P. F. M. Ferguson, Chairman of the Rubber Manufacturers' Association, Calcutta. 17. Mr. A. W. Gillespie, Secretary, Rubber Manufacturers' Association, Calcutta.—Cost—Rs. 631-5-0.

6. THIRD COFFEE CONTROL CONFERENCE.—2nd October, 1942.

(To discuss certain matters connected with working of Coffee Control Scheme and amendments needed to the Coffee Market Expansion Act, 1942.)

1. The Hon'ble Mr. N. R. Sarker, Member (Commerce). 2. Mr. T. S. Pillay, O.B.E., Jt. Secy., Department of Commerce. 3. Rai Sahib P. M. Mukerji, M.A., Asstt. Secy., Department of Commerce. 4. Mr. V. Sahay, I.C.S., Secy., Imperial Council of Agricultural Research. 5. Sir F. E. James, O.B.E., M.L.A., Coffee Controller. 6. Rao Sahib M. H. Bangara, B.A., Deputy Coffee Controller. 7. Mr. M. Gopala Menon, Chief Assistant, Coffee Controller. 8. Dr. F. X. DeSouza, M.L.A. (Mangalore). 9. Mr. Sylvester Pais (Chickmagalur). 10. Mr. N. G. B. Kirwan, (Mysore). 11. Dewan Bahadur K. Chengappa (Coorg). 12. Col. H. F. Murland, O.B.E. (Coorg). Mr. K. R. Narayana Iyer, a member of the Indian Coffee Market Expansion Board, also attended.—Cost—Nil.

7. THIRD PRICE CONTROL CONFERENCE.—16th and 17th October, 1941.

(Prices and Supplies Control.)

1. The Hon'ble Dewan Bahadur Sir A. Ramaswami Mudalliar, Member (Commerce). 2. The Hon'ble Sir Jeremy Ralsman, K.C.S.I., C.I.E., I.C.S., Member (Finance). 3. The Hon'ble Sir Alan Lloyd, C.S.I., C.I.E., I.C.S., Secretary to the Government of India, Department of Commerce. 4. Mr. E. M. Jenkins, C.S.I., C.I.E., I.C.S., Secretary to the Government of India, Supply Department. 5. The Hon'ble Mr. C. E. Jones, C.S.I., C.I.E., I.C.S., Secretary to the Government of India, Finance Department. 6. The Hon'ble Mr. H. C. Prior, C.I.E., I.C.S., Secretary to the Government of India, Labour Department. 7. The Hon'ble Mr. H. R. Roy, C.S.I., C.I.E., I.C.S., Secretary to the Government of India, Department of Communications. 8. Mr. J. D. Tyson, I.C.S., Secretary to the Government of India, Education, Health and Lands Department. 9. Sir P. Raghavendra Rau, Additional Secretary to the Government of India, Finance Department. 10. Mr. N. R. Pillai, C.B.E., C.I.E., I.C.S., Additional Secretary to the Government of India, Commerce Department. 11. Dr. T. B. Gregory, D.Sc., Economic Adviser to the Government of India. 12. Mr. M. W. M. Yeates, C.I.E., I.C.S., Joint Secretary to the Government of India, Department of Supply. 13. Mr. S. B. L. West, O.B.E., V.D., Director of Traffic, Railway Board. 14. Mr. T. S. Pillay, O.B.E., Deputy Secretary to the Government of India, Commerce Department. 15. Mr. Vishnu Sahay, I.C.S., Deputy Secretary to the Government of India, Home Department. 16. Mr. J. V. Joshi, M.A. (Cantab), Director General, Commercial Intelligence and Statistics. 17. Mr. E. J. Wakely, I.C.S., Under Secretary to the Government of India, Defence Co-ordination Department. 18. Mr. M. K. Kirpalani, I.C.S., Joint Secretary to the Department of Commerce and Labour and Chief Controller of Prices, Bengal. 19. Mr. A. V. Askwith, C.I.E., I.C.S., Chief Commissioner, Delhi. 20. The Hon'ble Khan Bahadur Allah Baksh Haji Mohammad Umar, O.B.E., Premier of Sind. 21. Mr. J. H. Taunton, C.I.E., I.C.S., Secretary, Revenue Department, Sind. 22. Mr. Y. A. Godbole, C.I.E., I.C.S., Chief Secretary (Adviser), Designate, Bina. 23. Mr. K. A. E. Williams, I.C.S., Chief Controller of Prices and Supplies, Bihar. 24. Mr. P. W. Marsh, C.S.I., C.I.E., I.C.S., Adviser to H. E. the Governor, United Provinces. 25. Mr. M. W. Abbas, I.C.S., Deputy Secretary, Price Control Department, United Provinces. 26. Rai Sahib B. K. Ghosal, Assistant Director of Industries, Hood, Orissa. 27. Mr. S. Solomon, I.C.S., Secretary, Development Department, Orissa. 28. Mr. R. M. Hood, C.S.I., C.I.E., I.C.S., Adviser to H. E. the Governor, Madras. 29. Mr. L. B. Green, O.B.E., Director of Industries and Commerce, Madras. 30. Mr. H. G. Denchey, C.I.E., I.C.S., Chief Secretary to the Government, Assam. 31. The Hon'ble Sir Chhotu Ram (Minister of Revenue), Punjab. 32. The Hon'ble Sir Manohar Lal (Finance Minister), Punjab. 33. Mr. J. D. Anderson, C.I.E., I.C.S., Joint Secretary to the Government, Punjab. 34. Mr. Aminuddin, I.C.S., Secretary to the Government of Punjab, Electricity and Industries Department, Punjab. 35. Sir Geoffrey Burton, K.C.I.E., I.C.S. Financial Adviser to H. E. the Governor, Central Provinces. 36. Mr. K. D. Guha, Director of Industries, Central Provinces. 37. Mr. E. W. Jardine, C.I.E., I.P.S., Revenue and Divisional Commissioner, N. W. P. 38. Mr. K. L. Panjabi, C.S., Secretary to Government, General Department, Bombay. 39. Mr. P. B. Advani, M.Sc., Tech. M.I.E., Director of Industries, Bombay. 40. Sir Theodor Tasker, Revenue Member, Hyderabad. 41. Mr. Ahmad Mohiuddin, Director, Commerce and Industries, Hyderabad. 42. Mr. T. G. Ramulayar, Controller of Agriculture and War Supply, Travancore. 43. Mr. S. V. Mukerjee, Nal, Dewan, Baroda. 44. Dr. H. Parameswaran, Controller of Yarn and War Supply, Travancore. 45. Prof. N. K. Padmanabha Pillai, Travancore. 46. Sir Manabhai Melloch, Travancore. 47. Sir Victor Sassoon (Bombay Millowners' Association). 48. Mr. Javantal Amritla (Ahmedabad Millowners' Association). 49. Dewan Bahadur C. S. Rathnasabapathy Mudalliar (South Indian Millowners' Association). 50. Mr. R. A. Menzies (Upper India Chamber of Commerce). 51. Rai Sahib S. C. Ghose (Bengal Millowners' Association). 52. Mr. Muhammad Shaghi, Research Officer to the Economic Adviser was also present.—Cost—Cost of Third, Fourth, Fifth and Sixth Price Control Conferences and the Meeting with the Representatives of Trade and Industry is approximately Rs. 4,500.

8. FOURTH PRICE CONTROL CONFERENCE.—6th and 7th February, 1943.

(Prices and Supplies Control.)

1. The Hon'ble Dewan Bahadur Sir A. Ramaswami Mudalliar, Member (Commerce). 2. The Hon'ble Sir A. Jeremy Ralsman, K.C.S.I., C.I.E., I.C.S., Member (Finance). 3. The Hon'ble Sir Alan Lloyd, C.S.I., C.I.E., I.C.S., Secretary to the Government of India, Department of Commerce. 4. The Hon'ble Mr. C. E. Jones, C.S.I., C.I.E., I.C.S., Secretary to the Government of India, Department of Finance. 5. The Hon'ble Mr. H. C. Prior, C.I.E., I.C.S., Secretary to the Government of India, Department of Labour. 6. The Hon'ble Mr. A. DeC. Williams, C.I.E., I.C.S., Secretary to the Government of India, Defence Co-ordination Department. 7. Mr. N. R. Pillai, C.B.E., C.I.E., I.C.S., Additional Secretary to the Government of India, Department of Commerce. 8. Dr. T. B. Gregory, D.Sc., Economic Adviser to the Government of India. 9. Mr. J. D. Tyson, C.I.E., I.C.S., Secretary to the Government of India, Education, Health and Lands Department. 10. Mr. Ghulam Mohammad, C.I.E., Additional Secretary, Supply Department. 11. Mr. Ikramullah, I.C.S., Deputy Secretary, Supply Department. 12. Mr. J. H. F. Raper, Member, Railway Board. 13. Mr. Y. Y. Suktankar, C.I.E., I.C.S., Wheat Commissioner, Government of India. 14. Mr. T. S. Pillay, O.B.E., Joint Secretary to the Government of India, Department of Commerce. 15. Sir Kenneth Mitchell, C.B.E., I.S.E., Consulting Engineer (Roads). 16. Mr. M. D. Bhasani, I.C.S., Deputy Secretary, Communications Deptt. 17. Mr. T. M. S. Mani, I.C.S., Under Secretary, Communications Deptt. 18. Mr. J. V. Joshi, M.A. (Cantab), Director General, Commercial Intelligence and Statistics. 19. Mr. V. Sahay, I.C.S., Secretary, Imperial Council of Agricultural Research. 20. Mr. H. P. Knight, C.S.I., C.I.E., I.C.S., Adviser to H. E. the Governor, Bombay. 21. Mr. K. L. Panjabi, I.C.S., Secretary to the Government of Bombay, General Department, Bombay. 22. Mr. M. K. Kirpalani, I.C.S., Joint Secretary to the Government of Bengal and Controller of Prices, Bengal. 23. The Hon'ble Rao Bahadur Chaudhuri Sir Chhotu Ram, Minister of Revenue, Punjab. 24. Mr. M. R. Sachdev, I.C.S., Price Controller and Additional Deputy Secretary, Home Department, Punjab. 25. Mr. S. Solomon, I.C.S., Director of Development, Orissa. 26. Mr. K. Gopalan, M.A., B.Com. (Man.), Senior Marketing Officer, Orissa. 27. Mr. R. E. Russell, C.S.I., C.I.E., I.C.S., Adviser to H. E. the Governor of Bihar. 28. Mr. R. A. F. Williams, I.C.S., Secretary to Government and Controller of Prices and Supplies, Bihar. 29. Mr. B. N. Sarker, Senior Marketing Officer and Assistant Controller of Prices, Bihar. 30. Mr. P. W. Marsh, C.S.I., C.I.E.,

I.C.S., Adviser to H. E. the Governor of U. P. 31. Mr. T. M. Lyle, C.S.I., C.I.E., Secretary Price Control Department, U. P. 32. Mr. N. C. Mehta, I.C.S., U. P. 33. Mr. J. K. Pande, M.A., Under-Secretary, Price Control Dept., United Provinces. 34. Mr. H. M. Hood, C.S.I., C.I.E., I.C.S., Adviser to H. E. the Governor, C. P. 35. Sir Geoffrey Burton, K.C.I.E., I.C.S., Financial Adviser to H. E. the Governor, C. P. 36. Mr. C. C. Desai, I.C.S., Secretary (Commerce and Industry) 40. Government, C. P. 37. The Hon'ble Khan Bahadur Allah Baksh Hajj Mohammad Umar, O.B.E., Premier of Sind. 38. Mr. Mulchand Rupchand Punjwani, Chief Controller of Prices, Sind. 39. Mr. L. W. Jardine, C.I.E., I.C.S., Revenue and Divisional Commissioner, N.-W. F. P. 40. Mr. A. Whitaker, C.I.E., M. L.A. (Assam), Assam. 41. Mr. H. J. Evans, I.C.S., Deputy Commissioner, Delhi. 42. Mr. J. G. Acheson, C.I.E., I.C.S., Baluchistan. 43. Secretary to H. H. the Chancellor, Chamber of Princes. 44. Rai Bahadur P. C. Mogha, Revenue Minister, Kashmir. 45. Mr. B. T. Kesavaiah, Chief Secretary to Government, Mysore. 46. Lala Ramjidas Vaishya, Secretary, Commerce and Industry Department, Gwalior. 47. Sir Theodoro Tasker, Revenue and Police Member, Hyderabad. 48. Mr. Crofton, Director-General, Revenue Department, Hyderabad. 49. Mr. Ghulam Mahmood Qureshi, Additional Revenue Secretary, Hyderabad. 50. Mr. S. V. Mukerjee, Baroda. 51. Mr. Mohammad Shaghil, Research Officer under the Economic Adviser to the Government of India, was also present.

9. FIFTH PRICE CONTROL CONFERENCE.—7th and 8th April, 1942. (Prices and Supplies Control.)

1. The Hon'ble Dewan Bahadur Sir A. Ramaswami Mudaliar, Member (Commerce). 2. The Hon'ble Sir A. Jeremy Ralsman, K.C.S.I., C.I.E., I.C.S., Member (Finance). 3. The Hon'ble Sir Alan Lloyd, C.S.I., C.I.E., I.C.S. 4. The Hon'ble Mr. C. E. Jones, C.S.I., C.I.E., I.C.S. 5. The Hon'ble Mr. C. M. Trivedi, C.S.I., C.I.E., B.E., I.C.S. 6. The Hon'ble Mr. H. C. Prior, C.I.E., I.C.S. 7. Mr. A. De C. Williams, C.I.E., I.C.S. 8. Mr. A. W. Ibbotson, C.I.E., M.B.E., M.C., I.C.S. 9. Mr. N. R. Pillai, C.B.E., C.I.E., I.C.S. 10. Dr. T. E. Gregory, D.Sc. 11. Mr. J. D. Tyson, C.B.E., I.C.S. 12. Mr. E. T. Coates, C.S.I., C.I.E., I.C.S. 13. Mr. J. H. F. Raper. 14. Mr. M. Ghulam Muhammad, C.I.E. 15. Mr. Y. N. Sukthankar, C.I.E., I.C.S. 16. Mr. T. S. Pillay, O.B.E. 17. Mr. M. Ikramullah, I.C.S. 18. Sir Kenneth Mitchell, C.I.E., I.S.E. 19. Mr. P. M. Kharegat, C.I.E., I.C.S. 20. Mr. T. M. S. Mani, I.C.S. 21. Mr. J. V. Joshi, M.A. (Cantab). 22. Mr. S. A. Venkataraman, I.C.S. 23. Mr. N. C. Mehta, I.C.S. 24. Mr. M. K. Vellodi, I.C.S. 25. Mr. A. A. Phillips, V.D. 26. Capt. A. M. Thompson. 27. Rai Bahadur H. Mukherjee. 28. Mr. R. C. Srivastava. 29. Mr. B. N. Adarkar, M.A. (Cantab). 30. Mr. H. F. Knight, C.S.I., C.I.E., I.C.S., Adviser to the H. E. the Governor (Finance), Bombay. 31. Mr. K. L. Panjabi, I.C.S., Secretary to the Government of Bombay (General Department), Bombay. 32. The Hon'ble Rai Bahadur Chaudhuri Sir Chhotu Ram, Minister of Revenue, Punjab. 33. Mr. R. Sachdev, I.C.S., Addl. Dy. Secy. to the Govt., Punjab. 34. Mr. E. N. Mangat Rai, I.C.S., Assistant Price Controller to Govt., Punjab. 35. Sardar Sahib Sardar Kartar Singh, Mar Keting Officer, Punjab. 36. Mr. H. M. Hood, C.S.I., C.I.E., I.C.S., Adviser to H. E. the Governor of U. P. 37. Mr. P. W. Marah, C.S.I., C.I.E., I.C.S., Adviser to H. E. the Governor of Madras. 38. Mr. T. M. Lyle, C.S.I., C.I.E., Secretary, Price Control Department, U. P. 39. Mr. S. S. Khara, I.C.S., Director of Industries, U. P. 40. Mr. J. E. Pedley, C.I.E., M.C., U. P. 41. Mr. R. A. E. Williams, I.C.S., Secretary to Government and Controller of Prices and Supplies, Bihar. 42. Mr. B. N. Sarkar, Senior Marketing Officer and Assistant Controller of Prices, Bihar. 43. Mr. E. R. J. R. Cousins, C.S.I., C.I.E., I.C.S., Adviser, Development, Bihar. 44. Sir Geoffrey Burton, K.C.I.E., I.C.S., Financial Adviser to H. E. the Governor, C. P. 45. Mr. C. C. Desai, I.C.S., Secretary (Commerce and Industry) to Government, C. P. 46. The Hon'ble Khan Bahadur Allah Baksh Hajj Mohammad Umar, O.B.E., Premier of Sind. 47. Mr. J. C. Bolton, I.C.S., Sind. 48. Mr. C. A. Humphrey, I.C.S., Chief Controller of Prices, Assam. 49. Mr. L. W. Jardine, C.I.E., Revenue and Divisional Commissioner, N.-W. F. P. 50. The Hon'ble Pandit Godavari Misra, Orissa. 51. Mr. K. T. Uthappa, B.A., Assistant Commissioner, Coorg. 52. Rai Bahadur Thakur Onkar Singh, Addl. Assistant Commissioner, Ajmer and Merwara. 53. Mr. W. F. G. Le Bailly, I.C.S., Deputy Commissioner, Delhi. 54. Mr. J. G. Acheson, C.I.E., I.C.S., Baluchistan. 55. Sardar Attar Singh, Revenue Commissioner, Kashmir. 56. Major Shams-ud-Din Muhammad, B.A., Bahawalpur. 57. Mr. Satya Vrata Mukerjee, B.A. (Oxon.), Naib Dewan, Baroda. 58. Raja Mantraprasanna Mr. K. V. Anantaraman, Minister, Finance and Revenue, Mysore. 59. Rajasevasaksa Mr. T. V. A. Isvaran, Chairman, Mysore Sugar Company, Mysore. 60. Lala Ramjidas Vaishya, Secretary, Industries, Commerce, Communications Dept., Gwalior. 61. Mr. Ghulam Mahmood Qureshi, Addl. Revenue Secretary, Hyderabad. 62. Mr. A. Madhava Prabhu, B.A., B.L., Dewan Peshkar, Cochin. 63. Mr. Zaidi, Prime Minister, Rampur State. Rampur. 64. Dr. B. G. Ghatge and Mr. Mohammad Shaghil were also present.

10. SIXTH PRICE CONTROL CONFERENCE.—7th and 8th September, 1942. (Prices and Supplies Control.)

1. The Hon'ble Mr. N. R. Sarker, Member (Commerce). 2. The Hon'ble Sir Jeremy Ralsman K.C.S.I., C.I.E., I.C.S., Member (Finance). 3. The Hon'ble Sir Homi Mody, K.B.E., Member (Supply). 4. The Hon'ble Sir Joginder Singh, Member (E. H. & L.). 5. The Hon'ble Dr. B. R. Ambedkar, D.Sc., Bar-at-Law, Member (Labour). 6. The Hon'ble Sir Alan Lloyd, C.S.I., C.I.E., I.C.S. 7. The Hon'ble Mr. C. E. Jones, C.S.I., C.I.E., I.C.S. 8. The Hon'ble Sir Satyendra Nath Roy, C.S.I., C.I.E., I.C.S. 9. The Hon'ble Mr. H. C. Prior, C.I.E., I.C.S. 10. Mr. J. D. Tyson, C.B.E., I.C.S. 11. Mr. A. W. Ibbotson, C.I.E., M.B.E., I.C.S. 12. Mr. E. T. Coates, C.S.I., C.I.E., I.C.S. 13. Mr. N. R. Pillai, C.B.E., C.I.E., I.C.S. 14. Mr. A. C. Turner, C.I.E., M.B.E., I.C.S. 15. Mr. B. G. Holdsworth, C.I.E., I.C.S. 16. Mr. Y. N. Sukthankar, C.I.E., I.C.S. 17. Mr. N. C. Mehta, I.C.S. 18. Mr. S. K. Kirpalani, I.C.S. 19. Mr. P. M. Kharegat, C.I.E., I.C.S. 20. Sir Kenneth Mitchell, C.I.E., I.S.E. 21. Sir Hugh Raper. 22. Mr. T. S. Pillay, O.B.E. 23. Mr. J. V. Joshi, M.A. (Cantab). 24. Lt.-Gen. T. J. Hutton. 25. Mr. T. M. S. Mani, I.C.S. 26. Mr. A. A. Phillips, V.D. 27. Mr. M. K. Vellodi, I.C.S. 28. Captain A. M. Thompson, A.I.R.O. 29. Rai Bahadur H. Mukherjee. 30. Mr. B. N. Adarkar, M.A. (Cantab). 31. Mr. Mohd. Shaghil, M.A., I.L.B. 32. The Hon'ble Nawab Bahadur of Dacca, Bengal. 33. Mr. L. G. Plunel, I.C.S., Bengal. 34. Mr. D. L. Mazumdar, I.C.S., Bengal. 35. Mr. H. F. Knight, C.S.I., C.I.E., I.C.S., Bombay. 36. Dr. T. G. Shirmame, Ph.D., F.R.S., F. R. Eon. S., Bombay. 37. Mr. P. B. Advani, M.Sc. (Tech.), M.I.E., J.P., Bombay. 38. Mr. R. E. Russell, C.S.I., C.I.E., Bihar. 39. Mr. R. A. E. Williams, I.C.S., Bihar. 40. Mr. S. Solomon, I.C.S., Orissa. 41. Mr. P. N. Mahanti, Orissa. 42. Mr. C. A. Humphrey, I.C.S., Assam. 43. Mr. R. F. Mudie, C.S.I., C.I.E., O.B.E., I.C.S., U. P. 44. Professor S. K. Rudra, M.A. (Cantab), U. P. 45. Mr. A. D. Pandit, I.C.S., U. P. 46. The Hon'ble Sardar Baldev Singh, Punjab. 47. Sir William Roberts, C.I.E., Punjab. 48. Mr. E. N. Mangat Rai, I.C.S., Punjab. 49. Mr. L. W. Jardine, C.I.E., I.P. N.-W. F. P. 50. Rai Bahadur Thakur Onkar Singh, Ajmer-Merwara. 51. Mr. W. F. G. Le Bailly, I.C.S., Delhi. 52. Mr. Parmanand, I.C.S., C. P. 53. Mr. H. S. Kamath, I.C.S., C. P. 54. Mr. G. B. Priestley, I.C.S., Madras. 55. The Hon'ble Khan Bahadur Allah Baksh Hajj Mohammad Umar, O.B.E., Sind. 56. Mr. J. C. Bolton, I.C.S., Sind. 57. Wazir Piroz Chand, Kashmir. 58. Mr. S. V. Mukerjee, Baroda. 59. Colonel Slaughter, Hyderabad. 60. Mr. A. Madhava Prabhu, B.A., B.L., Cochin. 61. Sir F. E. James, Travancore. 62. Director of Civil Supplies, Mysore. 63. Thakur Uttam Singh Gwalior. 64. Khan Bahadur Abdul Aziz, Kapurthala. 65. Sardar Mir Magbool Mahmood, Secretary to H. H. the Chancellor, Chamber of Princes. 66. The Chief Minister, Indore. 67. A Representative of Bahawalpur State.

11. MEETING WITH THE REPRESENTATIVES OF TRADE AND INDUSTRY.—11th September, 1942. (Prices and Supplies Control.)

1. J. L. Mehta, Esq., President of the Indian Chamber of Commerce and Industry, 3, Loudon Street, Calcutta. 2. Sir M. G. Deshpande, K.B.E., 'Mahal', Nagpur. 3. Sir Datar Singh, Montgomery. 4. Lala Padamrat Singhania, President, Employers' Association of North India, Kamla Tower, Cawnpore. 5. Kedarnath Aggarwal, Esq., c/o Messrs. Banarasis Prahladrai, Marwari Chamber of Commerce, Bombay. 6. Mr. Satya Paul Virmani, Jwala Flour Mills, Amritsar. 7. Ashutosh Bhattacharya, Esq., Bengal Rice Mills and Merchants' Association, 28, Galiff Street, Calcutta. 8. Rao Sahib G. Subbiah Chetty, Nellore (Madras). 9. Sir Purshottam Thakurdas, C.I.E., M.B.E., Nava-ari Chambers, Outram Road, Fort, Bombay. 10. Mr. A. L. Lyell, Calcutta Flour Mills' Association, Calcutta. 11. Madhusudan Dayal Esquire, Hapur, U. P. 12. The Hon'ble Mr. E. R. Haddow, Chairman of the Associated Chambers of Commerce, Calcutta. 13. Hansraj Gokaldar, Hapur, Wallace Flour Mills, Bombay. 14. Sardar Santokh Singh, c/o Messrs. Gopalsingh Hiraslingh, Grain Merchants, Amritsar.

12. TEA BLOCK PURCHASE CONFERENCE.—16th October, 1942.

(To consider certain domestic details connected with the Tea Block Purchase Scheme under which all exportable surplus of Indian tea are to be purchased by the Tea Controller for India on behalf of His Majesty's Government for equitable distribution to all Allied and Neutral countries.)

1. Mr. T. S. Pillay, O.B.E., Joint Secretary, Commerce Department. 2. Mr. J. Jones, C.I.E. 3. Mr. Debes C. Ghose. 4. Mr. B. C. Ghose. 5. Mr. M. A. Jspahani. 6. Mr. R. Brown. 7. Rao Bahadur H. B. Ari. 8. Gowder, M.L.A., Madras. 9. Mr. E. Bhide, I.C.S., Dy. Secy., Supply Department. 10. Lt.-Col. Boughton (Dy. Chief Controller of Purchase). 11. Major Sullivan (Dy. Controller of Purchase). 12. Capt. J. Khan (Dy. Director, Foodstuffs). 13. Mr. J. C. Surrey. 14. Mr. B. C. Studd. 15. Sir F. E. James, O.B.E., M.L.A., Central. 16. Rai Sahib P. M. Mukerji, Asstt. Secy., Commerce Deptt.—No costs to be borne by the Central Government as any travelling and halting allowances which may have to be paid to any invitee, if claimed, will be met from the Tea Controller's budget which is debitable to His Majesty's Government.

13. TEA CONTROL CONFERENCE.—6th and 7th November, 1942.

(To consider the question of the continuance of the International Tea Agreement (1938-43) which is due to expire on the 31st March, 1943, for the period of hostilities and during two complete quota years thereafter.)

1. Mr. T. S. Pillay, O.B.E., M.A., B.L., Joint Secretary, Commerce Deptt. 2. Mr. J. Jones, C.I.E. 3. Mr. D. Gomme. 4. Mr. G. C. Whyte. 5. Mr. J. L. H. Williams. 6. Mr. J. E. Sampson. 7. Mr. A. B. Roy. 8. Mr. B. C. Ghose. 9. Mr. H. N. Sarma. 10. Mr. P. Barooah. 11. Mr. S. C. Datta. 12. Mr. B. Bhattacharjee. 13. Mr. A. V. Thomas. 14. Mr. Debes C. Ghose. 15. Mr. J. S. Graham. 16. Mr. J. C. Surrey. 17. Sir F. E. James, O.B.E., M.L.A. 18. Mr. I. F. Sen. 19. Mr. L. B. Green, O.B.E., Tea Controller for India. 20. Colonel J. N. Sonden, Q. M. G.'s Branch. 21. P. M. Kharegat, C.I.E., I.C.S. 22. Rao Bahadur Ari Gowder. 23. Rai Sahib P. M. Mukerji, M.A., Asstt. Secy. to the Govt. of India, Commerce Department. 24. Mr. Ram Chandra, C.I.E., M.B.E., I.C.S., Chief Controller of Imports, —Cost—Nil.

14. RECONSTRUCTION COMMITTEE (TRADE, INTERNATIONAL TRADE POLICY AND AGRICULTURAL POLICY).—22nd and 23rd May, 1942.

(To draw up a programme of work.)

1. The Hon'ble Sir Alan Lloyd, C.S.I., C.I.E., I.C.S., Secretary to the Government of India, Commerce Department. 2. The Hon'ble Sir Jeremy Ransman, K.C.S.I., C.I.E., I.C.S., Member (Finance), H. E. the Viceroy's Executive Council. 3. J. D. Tyson, Esquire, C.B.E., I.C.S., Secretary to the Government of India, Department of Education, Health and Lands. 4. Dr. T. E. Gregory, D.Sc., Economic Adviser to the Government of India. 5. A. C. Turner, Esquire, C.I.E., M.B.E., I.C.S., Additional Secretary to the Government of India, Finance Department. 6. J. H. F. Raper, Esquire, Member, Railway Board. 7. J. F. Sheehy, Esq., C.S.I., I.C.S., Member, Central Board of Revenue. 8. C. W. Ayers, Esq., C.I.E., Excess Profits Tax Adviser, Central Board of Revenue. 9. T. S. Pillay, Esquire, O.B.E., M.A., B.L., Joint Secretary to the Government of India, Commerce Department. 10. P. B. Advani, Esquire, M.Sc. (Tech.), M.I.E., J.P., Director of Industries, Bombay. 11. H. M. Mahmood, Esq., Director of Industries, Punjab. 12. Mir Maqbool Mahmood, Secretary to H. H. the Chancellor, Chamber of Princes. 13. V. Vedavyasacharya, Esquire, Secretary, Development Department, Mysore. 14. P. M. Kharegat, Esquire, C.I.E., I.C.S., Vice-Chairman. 15. Dr. Sir S. S. Bhattacharya, O.B.E., Director. 16. G. L. Mehta, Esq., President, Federation of Indian Chambers of Commerce and Industry, New Delhi. 17. The Hon'ble Mr. R. K. Haddow, President, Associated Chambers of Commerce, Calcutta. 18. B. S. Dabke, Esquire, Bombay. 19. Sir Abdul Halim Ghuznavi, M.L.A., Calcutta. 20. The Hon'ble Mr. Hossain Imam, Gaya. 21. Sir Frederic James, M.L.A., New Delhi. 22. Sir Tracy Gavin Jones, Director, Muir Milk Company Limited, Cawnpore. 23. Sir Chunilal B. Mehta, Bombay. 24. Sir George Morton, O.B.E., M. C., President, Bengal Chamber of Commerce, Calcutta. 25. K. C. Neogy, Esquire, M.L.A., New Delhi. 26. The Hon'ble Mr. P. N. Saprui, Allahabad. 27. Sir Zia-Uddin Ahmad, M.L.A., Vice-Chancellor, Muslim University, Aligarh. 28. B. N. Adarkar, Esquire, M.A. (Cantab.), Secretary, Reconstruction Committee.—Cost—Rs. 2,765 approximately.

15. WHEAT CONFERENCE.—20th August, 1942.

(To review the wheat situation.)

1. The Hon'ble Mr. N. R. Sarker, Member (Commerce). 2. The Hon'ble Sir Alan Lloyd, Secretary, Commerce Department. 3. Mr. Y. N. Sukthankar, Wheat Commissioner for India. 4. Captain A. M. Thompson, Deputy Wheat Commissioner for India. 5. Mr. B. N. Adarkar, Additional Under Secretary, Government of India. 6. Mr. R. W. Targett, C.I.E., Director General of Supply. 7. Mr. A. P. Hume, I.C.S., Deputy Director General of Supply. 8. Lt. Genl. Hutton, Secretary, War Resources Committee, Supply Department. 9. Major Lee, Deputy Controller of Railway Priorities. 10. Sir William Roberts, C.I.E., Price Controller, Punjab. 11. Mr. Mangat Rai, Asstt. Price Controller, Punjab. 12. Sardar Santok Singh (Messrs. Gopal Singh Hira Singh, Amritsar). 13. Sardar Ujjal Singh, M.L.A., 14. Bhai Chuharmal, Okara. 15. Mr. Mason (Messrs. Owen Roberts and Company, Lahore). 16. Mr. Satya Paul Virmani, Northern India Flour Mills Association. 17. Mr. Gani Shankar, Central Bank of India, Lahore.—Cost—Rs. 595 approximately.

16. FIFTH MEETING OF THE EXPORT ADVISORY COUNCIL.—31st January, 1942.

1. The Hon'ble Dewan Bahadur Sir A. Ramaswami Mudaliar, Member (Commerce). 2. Seth Khimji Shamji, Bombay Grain Merchants' Association. 3. M. Haridas Madhavdas, Esq., East India Cotton Association. 4. Sir V. N. Chandavarkar, Bombay Millowners' Association. 5. Mr. Issardas Varindmal, M.L.A., Karachi Indian Merchants' Association. 6. Moulvi Mohammad Amin, Calcutta Hides and Skins Shippers' Association. 7. Mr. M. Ahmed Badsha, B.A., M.L.A., Southern India Skins and Hides Merchants' Association. 8. Mr. J. H. Burder, Indian Jute Mills Association. 9. Seth Chandulal P. Parikh, Ahmedabad Millowners' Association. 10. The Hon'ble Sir J. H. S. Richardson, Associated Chambers of Commerce of India. 11. Mr. J. M. B. Gibbons, Associated Chambers of Commerce of India. 12. Mr. Chunilal B. Mehta, Federation of Indian Chambers of Commerce and Industry. 13. Mr. Sankalchand G. Shah, Federation of Indian Chambers of Commerce and Industry. 14. Mr. C. J. Damala (Messrs. Ralli Bros.). 15. Mr. L. B. Mosse (Messrs. Lewis Dreyfus & Co.). 16. Mr. V. V. Ramaswami (Madras). 17. Sir Abdul Halim Ghuznavi, Calcutta. 18. Kumararajah Sir M. A. Muthiah Chettiar (Madras). 19. Dewan Bahadur Sir N. Gopalaswami Ayyangar, C.S.I., C.I.E. 20. Mr. Maqbool Mahmood, Bar-at-Law. 21. Mr. A. Bokal (attended as observer for the Govt. of Hyderabad). The Hon'ble Sir Alan Lloyd, C.S.I., C.I.E., I.C.S., Secy., Commerce Deptt., Mr. N. R. Pillai, C.E.J., C.B.E., I.C.S., Additional Secretary, Commerce Deptt., Dr. T. E. Gregory, Economic Adviser to the Government of India, Mr. T. S. Pillay, O.B.E., M.A., B.L., Deputy Secretary, Commerce Deptt. and Mr. G. Swaminathan, Under Secy., Commerce Deptt., were also present.—Cost—Rs. 4,038 approximately.

17. ADVISORY PANEL ON DRUGS AND MEDICINES.—10th December, 1942.

(To discuss as to which proprietary and patent medicines it is essential to import into India.)

1. Lt.-Col. Sir R. N. Chopra, C.I.E., I.M.S. (Retd.). 2. Dr. B. N. Ghosh, M.B.E., F.R.F.P. and S. (Glas.), I. M. (Dublin), F.S.M.F. (Bengal), F.R.S. (Edin.). 3. Dr. W. R. Aykroyd, M.D. 4. E. W. Fairbairn, Esq., M.P.S. 5. Dr. B. Mukerjee, D.Sc., M.D., F.A.Ph.S.—Cost—Rs. 22,000 approximately.

Mr. President (The Honourable Sir Abdur Rahim): Sir Zia Uddin.

Dr. Sir Zia Uddin Ahmad: No. 141.

The Honourable Sir Sultan Ahmed: Sir, we are sorry that the Honourable Member is absent.

Mr. President (The Honourable Sir Abdur Rahim): The question will be answered on Monday.

(Major General E. Wood entered the Chamber.)

The Honourable Sir Sultan Ahmed: Sir, he has come.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should have been in his seat at the proper time.

Major General E. Wood: I apologize, Sir.

WHEAT POSITION.

141. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable the Food Member please state what was the estimated surplus of wheat in the country on the 31st March, 1941?

(b) What was the estimated production of wheat in 1942?

(c) What quantity has been estimated to have been consumed during the period from April 1942 to January 1943?

(d) What is the estimated quantity of wheat now in the country?

Major General E. Wood: (a) Statistics are not available of the estimated surplus of wheat in the country on any particular date.

(b) 100·7 lac tons.

(c) and (d). Information on which to base such estimates is not available.

COMPLAINTS ABOUT CONTROL OF WHEAT IN DELHI.

142. *Dr. Sir Zia Uddin Ahmad: (a) Has the Honourable the Food Member drawn the attention of the Delhi Administration to the definite complaints about the control of wheat in Delhi brought to notice during the debates and by questions in the Autumn Session 1942?

(b) What action has the Delhi Administration taken against such complaints?

(c) Is the Honourable Member prepared to hand over the enquiry to the Intelligence Department of the Government of India to find out whether the complaints were justified?

Major General E. Wood: (a) and (b). The Honourable Member doubtless refers to certain statements made in the course of the debate on the adjournment motion on the 11th March, 1942. The complaints were brought to the notice of the Delhi Administration. The gravamen of the complaints was that for ulterior motives the official who was then most closely concerned with the distribution of wheat supplies in Delhi had not taken effective action to discover stocks hidden by merchants in the town. In actual fact, a number of raids were made in Delhi last spring, resulting in the production of some 14,500 bags of wheat and wheat flour. While it is doubtless true that a considerable number of persons in Delhi of the upper and middle classes still hold stocks of wheat for their personal use, it does not appear at all likely that at this stage any considerable stocks still remain concealed with the dealers.

As regards the allegations against the particular official, the reply is, firstly, that ever since the first wheat shortage occurred in Delhi twelve months ago the authorities have been using the services of the police and the magistrates to trace the hidden stocks, in addition to the services of the official mentioned. Secondly, much of the information which led to the successful raids of last spring was obtained by the very official who was criticized in the debate.

(c) There is no occasion for such inquiry as the Honourable Member seems to contemplate in the last part of his question.

HIGH RATES FOR CONTRACTS FOR CONSTRUCTION OF AERODROMES AT GAYA AND NAWADIH.

***143. *Mr. K. C. Neogy:** (a) Will the Honourable the Labour Member please state whether it is a fact that contracts for the construction of certain aerodromes were sanctioned by the Chief Engineer, Central Public Works Department, originally at very high rates against which the Provincial Public Works Department was compelled to lodge protests?

(b) Is it a fact that as a result of such protests a committee was appointed to examine these rates, and the committee reduced the rates to about one-third of what were agreed upon by the Chief Engineer?

(c) Is it a fact that the contractors also agreed to reduce the rates correspondingly proving thereby that the rates originally awarded were abnormally high?

(d) If the answer to (c) above be in the affirmative, what action do Government propose to take against the Chief Engineer who was responsible for sanctioning the original rates?

The Honourable Dr. B. R. Ambedkar: (a) Rates for the construction of the aerodromes in question were accepted by Chief Engineer on proposals put forward by the Executive Engineer through the Superintending Engineer. The rates were high but reliable contractors were not obtainable for work of the dimensions required at lower rates at the time the work was started. A report was received through the Divisional Commissioner complaining that these rates were unduly high.

(b) and (c). Almost a month before the receipt of any protests from the local officers the Chief Engineer had instructed the Superintending Engineer to make an enquiry and subsequently deputed his Personal Assistant and Financial Adviser to make a further enquiry. By that time conditions had become easier and it was possible to enforce reductions in the rates previously accepted. As a result some rates were considerably reduced, but no rate was reduced to one-third of the previous rates. The reductions accepted by the contractors were nil in respect of certain works, 15 per cent. in respect of main runway, 50 per cent. in respect of ordinary buildings, and between 30 per cent. and 60 per cent. in the case of special buildings. The contractor has, however, refused to accept the reduced rates proposed in the case of domestic buildings which have therefore been taken away from him and given to another contractor at reduced rates.

(d) There is no case for taking any action against the Chief Engineer.

HIGH RATES FOR WORKS OF LANDING GROUNDS IN NEW DELHI CANTONMENT.

144. *Mr. K. C. Neogy: (a) Will the Honourable the Labour Member please state whether it is a fact that the rates for works of Landing Grounds in the new Cantonment, New Delhi, were sanctioned and awarded at high levels originally, but later on they had to be reduced, and the contractors are now doing the works at these reduced rates?

(b) If the answer to (a) above be in the affirmative, why were the higher rates sanctioned in the beginning, and under whose authority?

(c) What action do Government propose to take against the officers who are responsible for this state of affairs?

(d) What precautions have been, or are going to be, taken by the Government of India to prevent a recurrence of such instances to ensure rigid economy in the execution of all such works?

The Honourable Dr. B. R. Ambedkar: (a) and (b). Three items of works, viz., (1) Landing Ground, (2) Domestic Buildings and (3) Technical Buildings, were carried out in connection with the construction of the New Cantonment, New Delhi Landing Ground. As regards (1) and (2) the answer is in the negative.

As regards (3) some reduction in rates was effected owing to change of specification.

(c) and (d). Do not arise.

CENTRAL FOOD ADVISORY COUNCIL.

145. *Sir F.E. James: Will the Honourable the Food Member be pleased to state:

(a) whether the Central Food Advisory Council has been transferred to the Food Department and is still in existence;

(b) what progress it has made in planning on an all-India basis a food and fodder production programme and in tendering advice with regard to its execution; and

- (c) if any steps have been taken to make the Council a clearing house of information and advice for all matters relating to food production throughout the Provinces and Indian States?

Major General E. Wood: (a) Yes.

(b) Following on recommendations made by the Council through its sub-committee and at its plenary sittings, Government of India addressed all the provinces to increase the food, fodder and vegetable production in the coming *khari* and *rabi* seasons.

Specific production targets have been prescribed for each province in respect of the principal *khari* crops for adoption. The Council also made proposals for converting town refuse into manure by municipalities of over 50,000 population; recommended steps to correct classification and utilisation of large areas of land described as "culturable but not cultivated"; suggested improvement of machinery for collecting agricultural statistics with particular reference to the permanently settled areas.

(c) Yes. Arrangements are under consideration for the Departments of the Central Government concerned to advise the Secretary of the Food Council, on all important matters concerning the terms of reference of the Council, and the recommendations made by the Council so as to enable the Secretary to send to all the members a monthly letter of information and progress.

Sir F. E. James: May I take it that the Honourable Member at present is using this Council for the purpose for which it was set up?

Major General E. Wood: That is the intention.

Mr. N. M. Joshi: What steps Government propose to take to make this Central Food Advisory Council a more representative body?

Major General E. Wood: The Council, as constituted, represent the interests of the consumers, traders, bankers and the cultivators.

Mr. N. M. Joshi: May I ask whether the Indian labour is represented on that body?

Major General E. Wood: The answer is in the negative.

Mr. N. M. Joshi: In view of the fact that a large number of consumers consists of labour, whether Government will ask the authorities to make the Council more representative of labour and of the consumers.

Major General E. Wood: The matter will be considered.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that only one sided opinion is expressed in this Council and the consumers are very poorly represented?

(No answer was given.)

Mr. E. L. C. Gwilt: On a point arising from the reply, will the Honourable Member say whether the valuable manure of activated sludge will be distributed throughout the country?

Major General E. Wood: The Council has put forward a proposal which is being considered by the proper Department for the training of at least one officer for each Province and State to be trained in the proper utilisation of town refuse. The proposition further goes on to suggest that when the first officer for each Province and State has been trained, they should continue to train officers until each Province and State can make use of town refuse of towns with 50,000 population and over.

Dr. Sir Zia Uddin Ahmad: What is the nature of the training which the Honourable Member is contemplating to impart?

Major General E. Wood: I am not aware of the details of the training, but the process is what is called the Bangalore process and the training will take place near Bombay. The first training class will consist of about 20 students.

Mr. E. L. C. Gwilt: May I know whether the term "town refuse" covers activated sludge, because as an agricultural manure activated sludge is probably very much better than town refuse.

Major General E. Wood: I regret I am unable to answer that question.

Dr. Sir Zia Uddin Ahmad: May I ask whether the Honourable Member will

hold training class near a place where food is available or near a place where food is not available?

Major General E. Wood: The proposal is that when these new sources of manure become available, they will be distributed under the direction and control of Provincial Directors of Agriculture, and if necessary at a price within the reach of the cultivator.

Sir F. E. James: May I know if the Honourable Member's Department will look into the matter of activated sludge?

Major General E. Wood: Yes, Sir.

Dr. Sir Zia Uddin Ahmad: May I ask whether the Honourable Member will consider the advisability of making Delhi as the training centre, because there is scarcity of food in Delhi itself, while there is plenty of food round about within a distance of ten miles? Delhi is the ideal place for this training centre. Will the Honourable Member give up the idea of having this training centre in Bombay and open one in Delhi?

Major General E. Wood: The scarcity of food in any place is not necessarily related to the need of manure in that place.

Mr. N. M. Joshi: In view of the fact that these next two questions are of public importance from the point of view of labour, may I have your permission to put them?

Mr. President (The Honourable Sir Abdur Rahim): You can put those questions.

The Honourable Dr. B. R. Ambedkar: I have no objection.

Mr. President (The Honourable Sir Abdur Rahim): Very well, the Honourable Member may put those questions.

IRREGULARITIES IN CONNECTION WITH APPLICATION OF CHAPTER VI-A OF THE INDIAN RAILWAYS ACT.

146. ***Mr. N. M. Joshi** (on behalf of **Mr. Lalchand Navalrai**: (a) Will the Honourable the Labour Member be pleased to state when the Indian Railways (Amendment) Act XIV of 1930 came into force?

(b) Is it a fact that in the annual reports of the Conciliation Officer (Railways) and the Supervisor of Railway Labour, who is an Inspector under the Act, it has been noted that the same irregularities have continued to be noticed on the Railways in connection with the application of Chapter VI-A of the Indian Railways Act?

(c) If the reply to part (b) above be in the affirmative, has the Conciliation Officer (Railways) and the Supervisor of Railway Labour at any time invoked the aid of penalty provisions of the Indian Railways (Amendment) Act, 1930, to stop these irregularities? If so, will the Honourable Member please lay a statement on the table of the House giving instances?

(d) If the reply to first portion of part (c) above be in the negative, will the Honourable Member please give reasons for not enforcing the penalty clauses of the law?

(e) Is it proposed to do so now? If not, why not?

The Honourable Dr. B. R. Ambedkar: (a) Section 1 of the Indian Railways (Amendment) Act of 1930 came into force on the 26th March, 1930. Section 2 came into force on different Railways on the dates given below:

North Western and East Indian Railways—1st April, 1931.

Great Indian Peninsula and Eastern Bengal (now Bengal and Assam) Railways—1st April, 1932.

Bombay, Baroda and Central India and Madras and Southern Mahratta Railways—1st November, 1935.

Bengal and North Western (now Oudh and Tirhut) Railway—1st October, 1937.

South Indian and Rohilkund and Kumaon (now part of Oudh and Tirhut) Railways—1st April, 1940.

Bengal Nagpur and Assam Bengal (now part of Bengal and Assam)
Railways—1st January, 1941.

(b) Yes.

(c) No.

(d) and (e). It has not been necessary to invoke the aid of penalty provisions of the law as it has always been possible to rectify irregularities by administrative action.

FIELD OF ACTIVITIES OF THE CONCILIATION OFFICER (RAILWAYS).

147. ***Mr. N. M. Joshi** (on behalf of **Mr. Lalchand Navalrai**): (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that on the creation of his post the Conciliation Officer (Railways) was posted to Calcutta, to carry on his conciliation activities amongst the group of railways with headquarters at Calcutta?

(b) Is it a fact that the office of the Conciliation Officer (Railways) and the Supervisor of Railway Labour has now been transferred to Lahore? Will the field of his conciliation activities be confined to the group of railways with headquarters at Calcutta, or to the North Western Railway at Lahore or to railways with headquarters at both these places, Lahore and Calcutta?

The Honourable Dr. B. R. Ambedkar: (a) Yes.

(b) The headquarters of the Conciliation Officer (Railways) and the Supervisor of Railway Labour was transferred to Lahore purely as a temporary measure as a new incumbent to the post was being appointed and the Deputy Supervisor of Railway Labour whose headquarters are at Lahore was holding additional charge of the post of Conciliation Officer (Railways) and the Supervisor of Railway Labour. The headquarters have now been transferred back to Calcutta after the appointment of a new incumbent to the post.

Mr. N. M. Joshi: May I ask whether the Government will consider the question of extending the function of the Conciliation Officer to Railways other than those whose headquarters are in Calcutta?

The Honourable Dr. B. R. Ambedkar: Yes, I will consider that.

Mr. President (The Honourable Sir Abdur Rahim): I have allowed these two questions to be put by Mr. N. M. Joshi, though the Honourable Member, Mr. Lalchand Navalrai, who gave notice of these questions had not authorised Mr. Joshi. It is ordinarily the practice that no other Member can put a question unless the Honourable Member in whose name a question stands has authorised him to do so. But in the special circumstances of this case, I have allowed Mr. Joshi to put the questions.

LOOTING OF GRAIN SHOPS BY MILL-HANDS AT DHARLIA.

148. ***Dr. Sir Zia Uddin Ahmad:** (a) Will the Honourable the Food Member please state if it is a fact that the mill hands in Dharlia (Bombay Presidency) looted the grain shops about the 2nd January, 1943?

(b) What was the cause of looting the bazaar?

(c) Was it not due to the starvation caused by the absence of food grains in the market?

(d) Does this danger exist in all places where foodstuff is not available?

(e) Is the Honourable Member prepared to press on his colleagues to take immediate steps for easing the situation?

Major General E. Wood: (a) to (e). The Government of India are not aware whether the facts are as stated in the question. Responsibility for law and order and for rendering the civil population such assistance as is possible in the way of foodstuffs rests on the Provincial Government. The Government of India are aware that there is scarcity in some parts of the Bombay Presidency and have already made arrangements for substantial quantities of grain to be despatched to Bombay from surplus Provinces.

RECONSTRUCTION COMMITTEES.

*149. ***Mr. Govind V. Deshmukh:** Will the Honourable Member for Commerce be pleased to state:

*Answer to this question laid on the table, the questioner being absent.

- (a) the names of persons serving on the various Reconstruction Committees;
- (b) the names of the economic investigators; and
- (c) if any final or preliminary reports of these Committees are ready; and if so, whether these will be laid on the table?

Major General E. Wood: (a) A list of members serving on the fourth Reconstruction Committee viz., Trade, International Trade Policy and Agricultural Policy is placed on the table.

The first three Reconstruction Committees dealing with (i) Labour and Demobilisation, (ii) Disposals and Contracts and (iii) Public Works and Government Purchases are being constituted and the proposed lists of representatives are placed on the table.

(b) 1. Mr. M. A. Mulky, M.A., LL.B., M.Sc. (Econ.), (London).

2. Dr. S. Ganapati Rao, M.A. (Hons.), D.Litt. (Madras).

3. Dr. Natarajan, M.A., D.Litt. (Madras).

4. Mr. V. K. Chopra, M.A.

5. Mr. S. M. Huda, B.A., Dip. in Rural Economics (Oxford).

(c) Preliminary conclusions on one or two topics have been reached, but no decision has yet been taken as to publication of Reports when ready.

Proposed Personnel of Reconstruction Committee I. (Labour and Demobilisation).

Representatives of the Government of India.

1. The Honourable Mr. N. R. Sarker, Member (Commerce): *Chairman*.
2. The Honourable Mr. C. MacL. G. Ogilvie, C.S.I., C.B.E., I.C.S., Secretary to the Government of India, Defence Department.
3. The Honourable Mr. N. R. Pillai, C.I.E., C.B.E., I.C.S., Secretary to the Government of India, Commerce Department.
4. Sir Theodore Gregory, D.Sc., Economic Adviser to the Government of India.
5. Major-General H. V. Lewis, C.B., C.I.E., D.S.O., M.C., Defence Department.
6. Sir Guthrie Russell, Director-General, Munitions Production, Calcutta.
7. Mr. E. T. Coates, C.S.I., C.I.E., I.C.S., Financial Adviser, Military Finance.
8. Mr. L. T. Gholap, I.C.S., Joint Secretary to the Government of India, Finance Department.
9. The Honourable Mr. H. C. Prior, C.I.E., I.C.S., Secretary to the Government of India, Labour Department.
10. Colonel H. W. Wagstaff, M.C., Member, Railway Board.
11. Mr. J. Sargent, M.A., C.I.E., Educational Adviser to the Government of India.
12. Mr. J. V. Joshi, M.A. (Cantab.), Deputy Economic Adviser to the Government of India.

Representative of the Federation of Indian Chambers of Commerce and Industry.

13. Sir Purshotamdas Thakurdas, C.I.E., M.B.E., Navsari Chambers, Outram Road, Fort, Bombay.

Representative of the Associated Chambers of Commerce of India.

14. Mr. E. S. Millar, Attock Oil Company, Ltd., Rawalpindi.

Representatives of—

15. The Bombay Millowners' Association, Bombay.
16. The Indian Jute Mills Association, Calcutta.
17. The Employers' Association of Northern India, Cawnpore.
18. The Indian Engineering Association, Calcutta.
19. The Hindustan Construction Company, Limited, Bombay.
20. The Tata Iron & Steel, Co., Ltd.

Labour Representatives of Provincial Governments.

21. Commissioner of Labour, Madras.

22. Commissioner of Labour, Bombay.

Labour Representatives approved of by Labour Department.

23. Mr. N. M. Joshi, M.L.A., Model House, 1st Floor, Flat No. A/4, Proctor Road, Bombay, No. 4.
24. Mr. Jamnadas Mehta, M.L.A., 40-C, Ridge Road, Malabar Hill, Bombay.

Representative of Indian States.

25. One Labour representative of the States.

Proposed Personnel of Reconstruction Committee II. (Disposals and Contracts).

Representatives of the Government of India.

1. The Honourable Mr. N. R. Sarker, Member (Commerce): *Chairman*.
2. Mr. E. M. Jenkins, C.S.I., C.I.E., I.C.S., Secretary to the Government of India, Supply Department.
3. The Honourable Mr. N. R. Pillai, C.I.E., C.B.E., I.C.S., Secretary to the Government of India, Commerce Department.
4. Sir Theodore Gregory, D.Sc., Economic Adviser to the Government of India.

5. Sir Guthrie Russell, Director-General, Munitions Production, Calcutta.
6. Mr. L. N. Flatt, V.D., Director, Mechanical Engineering, Railway Board.
7. Mr. Zahid Hussain, C.I.E., Additional Financial Adviser, Supply Finance.
8. Mr. J. V. Joshi, M.A. (Cantab.), Deputy Economic Adviser to the Government of India.

Representative of the Federation of Indian Chambers of Commerce and Industry.

9. Sir Shri Ram, 20, Curzon, Road, New Delhi.

Representative of the Associated Chambers of Commerce of India.

10. Sir Bernard Pratt, Imperial Chemical Industries (India), Ltd., 18, Strand Road, Calcutta.

Representatives of the Provincial Governments & Indian States.

11. Director of Industries, Central Provinces and Berar.
12. Director of Industries, Bengal.
13. Director of Industries, Punjab.
14. One Director of Industries of any State.

Representatives of—

15. The Bombay Millowners' Association, Bombay.
16. The Indian Jute Mills Association, Calcutta.
17. The Employers' Association of Northern India, Calcutta.
18. The Indian Engineering Association, Calcutta.
19. The Hindustan Construction Company, Limited, Bombay.
20. The Tata Iron & Steel Co., Ltd.
21. The Tanners' Federation of India.

Proposed Personnel of Reconstruction Committee III. (Public Works and Government Purchases).

Representatives of the Government of India.

1. The Honourable Mr. N. R. Sarker, Member (Commerce) : Chairman.
2. The Honourable Mr. H. C. Prior, C.I.E., I.C.S., Secretary to the Government of India, Labour Department.
3. Sir Theodore Gregory, D.Sc., Economic Adviser to the Government of India.
4. Mr. S. K. Kirpalani, I.C.S., Joint Secretary to the Government of India, Supply Department.
5. Mr. A. W. H. Dean, C.I.E., M.C., I.S.E., Chief Engineer and Rent Controller, C. P. W. D., Labour Department.
6. Mr. T. S. Sankara Aiyer, C.I.E., Financial Commissioner, Railways.
7. Brigadier R. M. W. Marsden, M.C., Deputy Engineer-in-Chief, Engineer-in-Chief's Branch.
8. Mr. A. C. Turner, C.I.E., M.B.E., I.C.S., Additional Secretary to the Government of India, Finance Department.
9. Mr. A. R. Thomas, B.Sc., (Eng.), I.S.E., Secretary, Central Board of Irrigation.
10. Mr. J. V. Joshi, M.A. (Cantab.), Deputy Economic Adviser to the Government of India.

Representative of the Federation of Indian Chambers of Commerce and Industry.

11. Mr. Kasturbhai Lalbhai, Pankore's Naka, Ahmedabad.

Representative of the Associated Chambers of Commerce of India.

12. Sir Henry Birkmyre, Bart., Messrs. Birkmyre Brothers, 8, Clive Row, Calcutta.

Representative of the Indian Institute of Engineers, Calcutta.

13. Mr. B. R. Kagal, B.E., M.I.E., M.R. San I., Land & Development Officer, Delhi.

Representative of the Irrigation or the Public Works or the Electricity Departments of

- | | |
|-------------|-----------------------|
| 14. Sind. | 17. Assam. |
| 15. Bihar. | 18. United Provinces. |
| 16. Orissa. | |

Representatives of—

19. The Indian Engineering Association, Calcutta.
20. The Hindustan Construction Company, Limited, Bombay.
21. The Tata Iron & Steel Company, Limited.
22. The Associated Cement Companies, Ltd., Bombay.
23. The Delhi Improvement Trust, Delhi.

Other Representatives.

24. A representative of the Public Works Contractors.
25. A representative of any State.

Constitution of Reconstruction Committee IV. (As at Present Composed)—(Trade, International Trade Policy and Agricultural Policy).

Representatives of the Government of India.

1. The Honourable Mr. N. R. Sarker, Member (Commerce) : Chairman.
2. The Honourable Mr. N. R. Pillai, C.I.E., C.B.E., I.C.S., Secretary to the Government of India, Commerce Department.
3. The Honourable Mr. C. E. Jones, C.S.I., C.I.E., I.C.S., Secretary to the Government of India, Finance Department.
4. Mr. J. D. Tyson, C.B.E., I.C.S., Secretary to the Government of India, Department of Education, Health & Lands.
5. Sir Theodore Gregory, D.Sc., Economic Adviser to the Government of India.

6. Mr. A. C. Turner, C.I.E., M.B.E., I.C.S., Additional Secretary to the Government of India, Finance Department.
7. Sir Hugh Raper, Member, Railway Board.
8. Mr. J. V. Joshi, M.A. (Cantab.), Deputy Economic Adviser to the Government of India.

Representatives of the Provincial Governments.

9. Director of Industries, Bombay.
10. Director of Industries, Punjab.
11. Director of Industries, Madras.
12. Director of Industries, United Provinces.

Representatives of States.

13. Secretary to H. H. the Chancellor, Chamber of Princes
14. A representative of Hyderabad.
15. Secretary, Development Department, Mysore.

Representative of the Imperial Council of Agricultural Research.

16. Mr. P. M. Kharegat, C.I.E., I.C.S., Vice-Chairman.

Representative of the Board of Scientific and Industrial Research

17. Dr. Sir S. S. Bhatnagar, O.B.E., Director.

Representatives of the Chambers of Commerce.

18. Mr. G. L. Mehta, President, Federation of Indian Chambers of Commerce - Industry, New Delhi.
19. Mr. G. D. Birla, Member of the Committee, Federation of Indian Chambers of Commerce & Industry, New Delhi.
20. The Honourable Mr. R. R. Haddow, President, Associated Chambers of Commerce, Calcutta.
21. Mr. W. K. M. Langley, Associated Chambers of Commerce, Calcutta.

Other Representatives.

22. Sir Swetachalapati Rama Krishna Ranga Row Bahadur Varu, K.C.I.E., Rajah or Bobbili, Bobbili, District Vizagapatam.
23. Kumararajah Sir Muthiah Chettiar, Madras.
24. Mr. B. S. Dabke, Bombay.
25. Sir Abdul Halim Ghuznavi, M.L.A., Calcutta.
26. The Honourable Mr. Hossain Imam, Gaya.
27. Sir Frederick James, M.L.A., New Delhi.
28. Sir Tracy Gavin Jones, Director, Muir Mills Co., Ltd., Cawnpore.
29. Sir Chunilal B. Mehta, Bombay.
30. Sir George Morton, O.B.E., M.C., President, Bengal Chamber of Commerce, Calcutta.
31. Mr. K. C. Neogy, M.L.A., New Delhi.
32. The Honourable Mr. P. N. Saprú, Allahabad.
33. Sir Zia Uddin Ahmad, M.L.A., Vice-Chancellor, Muslim University, Aligarh.

PLANS FOR PROTECTION OF AGRICULTURISTS FROM SLUMP IN PRICES AFTER THE WAR

150. *Mr. Govind V. Deshmukh: Will the Honourable Member for Commerce please state if Government have thought out plans to see that the agriculturists get a fair return for their produce after the war and have not to suffer on account of slump in prices?

Major General E. Wood: This subject was considered at the first meeting of the Reconstruction Committee IV—Trade, International Trade Policy and Agricultural Policy—held in May 1942 and a Sub-Committee on Agriculture has been set up to consider the post-war problems of agriculture. The Agricultural Sub-Committee of the Consultative Committee of Economists is also examining the question.

DESIRABILITY OF TRANSFER OF INDIAN APPEALS FROM HIS MAJESTY IN COUNCIL TO FEDERAL COURT.

151. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable the Law Member please state if it is or it is not a fact that due to war conditions litigants are feeling considerable difficulties in instituting and prosecuting appeals to His Majesty in Council?

(b) Is it or is it not a fact that among other reasons, due to the great distance of India from the Courts of His Majesty in Council, the expenses of appeals to that Court are much greater than they are or can be in any Courts in India?

(c) Is it or is it not a fact that the Courts of His Majesty in Council are overworked and the normal period for the decision of appeals there is from four to five years?

*Answer to this question laid on the table, the questioner being absent.

(d) Is it or is it not a fact that there is not sufficient work in the Federal Court of India to keep the Honourable Judges of that Court busy during the normal working days of the year?

(e) In view of the expenses and delay in the decision of appeals by His Majesty in Council, do Government propose to consider the advisability of bringing to the notice of His Majesty in Council the necessity for putting section 206 of the Government of India Act, 1935 into force? If not, why not?

The Honourable Sir Sultan Ahmed: (a) to (d). The estimate of the normal period in part-(c) is, I think, excessive, but I have no general desire to controvert the suggestions which the Honourable Member evidently intends to convey.

(e) The question is under correspondence with the Secretary of State and I am not in a position to make any further statement at this stage.

Qazi Muhammad Ahmad Kazmi: How long is this correspondence going to last? Can the Honourable Member give me some idea?

The Honourable Sir Sultan Ahmed: I would suggest my Honourable friend to go to the nearest astrologer.

Qazi Muhammad Ahmad Kazmi: Is it likely to finish before the end of the war or will it continue even after the war?

The Honourable Sir Sultan Ahmed: The answer is the same.

DESIRABILITY OF INTRODUCING LEGISLATION REGARDING SPECIAL CRIMINAL COURTS.

152. *Qazi Muhammad Ahmad Kazmi: (a) Is the Honourable the Law Member aware of the contents of the Ordinance No. II of 1942 creating Special Criminal Courts, issued by the Governor General?

(b) In view of the provisions of section 72 of the Government of India Act, 1919, regarding the duration of such an Ordinance being only six months, do Government propose to consider the advisability of bringing legislation on the basis of that Ordinance before this House?

The Honourable Sir Sultan Ahmed: (a) Yes.

(b) Ordinance XII of 1942, was made during the period specified in section 3 of the Indian and Burma (Emergency Provisions) Act, 1940, and by virtue of sub-section (3) of section 1 thereof, section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, has effect in respect of Ordinances made during that period as if the words imposing the six-month limitation were omitted. The question, therefore, does not arise.

MATERNITY WELFARE AND CHILDREN'S HEALTH ARRANGEMENTS.

153. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Education, Health and Lands be pleased to state the number of children born every day in India? Have the Government of India any arrangement to look after their health?

(b) Will he be pleased to state the number of deaths of children every day in India? Have Government made any arrangement for checking this death rate? If so, what?

(c) How many maternity institutions are there in India, province by province, in which free lying-in accommodation is provided? How many doctors and nurses are employed simply to look after the expectant mothers and newly-born children?

(d) What arrangements are there for maternity welfare and children's health in rural areas?

Mr. S. H. Y. Oulsnam: (a) to (d). Such information as is readily available to the Central Government is contained in the annual reports of the Public Health Commissioner with the Government of India which are in the library of the House. Public Health, hospitals and registration of births and deaths are the responsibility of Provincial Governments.

QUININE POSITION.

154. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Education, Health and Lands, please state if it is a fact, that

† Answer to this question laid on the table, the questioner being absent.

India produces 100,000 pounds of quinine yearly? If so, is this quantity sufficient for the use of Indian populace? If not, what is the general deficit? How much quinine is imported annually for use in India and what was the quantity imported in 1939, 1940, 1941 and 1942?

(b) Is it a fact that Government had some quantity of quinine in stock at the end of 1939? If so, what was the total quantity and how was this extra stock distributed and utilised?

(c) Is it not a fact that the supply of quinine has fallen short and has been causing great hardship in treating malarial fever in India?

(d) What was the rate of death per 1,000 per year due to malaria in 1941 and 1942 and what was the rate before the war?

(e) Have the Government of India tried to find out any substitute for quinine? If not, have they approached any *Ayurvedic* or *Yunani* physicians for finding out any proper substitute? Is there any research work in hand to find out a proper substitute?

(f) Did the Honourable Member get any offer from any *Ayurvedic* physician for any such substitute? If so, does the Honourable Member propose to accept the offer to get a substitute at the earliest opportunity? If not, what are the reasons?

Mr. S. H. Y. Oulsnam: (a) The annual production of quinine in India is about 90,000 lbs. The normal annual consumption is about 210,000 lbs. A statement showing the imports of quinine from 1938-39 to 1941-42 is laid on the table.

(b) The amount of quinine in the possession of the Government of India at the end of 1939 was 90,000 lbs. The stocks have been included in the common pool of Central and Provincial stocks from which allotments are made to Provincial Governments.

(c) It is a fact that quinine supplies are insufficient to meet requirements for the treatment of all cases of malaria in the country.

(d) Deaths from malaria are separately recorded only in six Provinces and the 1941 figures are available for only five Provinces. The reported death rate in those Provinces in 1941 was 3.1 per thousand of population in urban areas and 8.9 in rural areas. Statistics for 1942 are not yet available. The corresponding rates for 1938 were 3.2 and 10.6.

(e) I would invite the Honourable Member's attention to the answer to his question No. 105 of the 24th September, 1942 and to the Supplementary Questions and answers arising from it. Government have not approached any *Ayurvedic* or *Unani* physician and have not instituted any new research work but they have made arrangements for supplies of atabrin, a drug which is recognised by the medical profession as a remedy for the treatment of malaria.

(f) Yes Government are prepared to investigate the properties of the alleged remedy if samples are supplied or the formula is given.

Statement Showing Imports of Quinine.

1938-39	.	.	.	.	.	.	.	.	100,208 lbs.
1939-40	.	.	.	.	.	.	.	.	83,023 lbs.
1940-41	.	.	.	.	.	.	.	.	293,724 lbs.*
1941-42	.	.	.	.	.	.	.	.	283,877 lbs.†

THE RAILWAY BUDGET—GENERAL DISCUSSION.

Mr. President (The Honourable Sir Abdur Rahim): General Discussion of the Railway Budget: Under Rule 46, I direct that the time limit for speeches on this occasion should be twenty minutes, according to the usual practice, but the Government Member will have forty-five minutes or more, if necessary.

Mr. T. Chapman-Mortimer (Bengal: European): Sir, in the beginning of my remarks, I should like to refer to what the Honourable the Member for War

* includes 190,000 lbs. imported by Government.

† includes 110,000 lbs. imported by Government.

Transport had to say on the subject of the splendid work done by all grades of railway servants during the last extremely difficult year. I should like to pay a tribute on behalf of this Group to what these men have done for India and India's war effort. During July to December, it was my misfortune to have to travel a good deal on business. Now, Sir, we all know that these months were the most difficult months of last year. I can say from my own personal experience which was shared also by Indian friends of mine with whom I made these journeys that we received the most unfailing consideration and assistance from the railway service officials. In that connection, Sir, we heard a great deal about the delays that have occurred in railway travel and more especially the delays that occurred at that time. I should like to quote one or two instances from my own personal experience. One was on an occasion when, owing to the breakdown of an electrical machine in Calcutta, the signal apparatus at Howrah Station was out of action for a couple of hours and our train started, in consequence, one hour late. On the way to Bihar where we were going we made up time and arrived only about half an hour late. Sir, I suggest that is a remarkable tribute to the way in which the Railway employees are doing their work in these difficult times.

Coming to the Budget itself and to the financial proposals which are related to it, I am sure that to the much harassed tax-payer the news of this Budget will come with a sense of feeling of great relief—relief that such considerable aid will be forthcoming to general revenues and relief also that rates and fares have not had to be enhanced. Dare we hope that this may mean that these have now reached a war-time peak and that in post-war years early attempts will be made to revise these in a downward direction for the relief of industry and of the passengers who use the Railways?

Secondly, Sir, the impression you inevitably draw from the study of this Budget is the encouragement it must afford to the general financial policy of Government and in particular to its Defence Loan policy. It is one more proof to my mind of the soundness of that policy and of how easily the Honourable the Finance Member is going to get all the money he requires at the very cheap rates he has offered for his loans, and I am sure that Defence Loan Committees all over the country will take heart from this Budget.

Thirdly, we welcome the very large contribution that is forthcoming for the general revenues and the judicious balance that the Honourable the War Transport Member and his financial advisers have secured. In their allocation of the balance they have adopted a fair division of the enormous surplus as between the needs of the revenue, the needs of the tax-payer and the needs of the Railways themselves.

With regard, Sir, to more detailed points in the Budget I should like to draw the attention of the House to the capital position of the Railways. I find that in 1935-36 the Capital-at-charge was 754.11 crores. In 1942-43 it is 770.24 crores notwithstanding the addition to capital during the current year of some 15 crores, on account mainly of the purchase of various Railways. Now, Sir, I am sure that the House will agree that these are most remarkable figures and show the extraordinary sound position in which the Railways find themselves at this time. In a period of some seven years to have increased the capital-at-charge by no more than 15 crores and at the same time to have acquired major railway systems is, I suggest, a very remarkable achievement. The Reserve fund which according to the explanatory memorandum of 1939-40, the last pre-war budget, was shown to be nil, will by the end of the coming year amount to no less than nine and a half crores. We on these Benches are very glad that the Honourable Member for War Transport has decided to allocate so large an amount as eight crores odd to the Reserve Fund. And this figure of nine and a half crores, it should be noted, is arrived at after the transfer from the Reserve Fund of Rs. 6.80 crores to the Depreciation Fund. Then, Sir, in the Depreciation Fund account, which

[Mr. T. Chapman-Mortimer.]

was circulated to Honourable Members, I find that the opening balance of 1941-42 was Rs. 36,60,72,000. The closing balance of the current year according to the revised estimate would be Rs. 82,19,93,000. Thus the outstanding loan which was due to the Depreciation Fund will have been fully repaid by the end of the current year and an extra sum of 8 crores added to the fund. That is despite the moratorium which had relieved the Railways from having to refund their debt in this respect.

Fourthly, the Railways during the current year have finally paid off the unpaid contributions to General Revenues which under the old 1924 Convention they were bound to pay. Again taking the pre-war figures available to this House, we find that the amount of these unpaid contributions in 1939-40 was 34.70 crores. Today it is nil; while with regard to the current year, in addition to the repayment of these old outstanding debts, the Railways will have made a further contribution which, together with the debt payment, amounts to 20.13 crores. In the coming year out of the estimated surplus of 36 crores, it is proposed, under the suggested revision of the Convention, that general revenues should receive no less than 27 crores and that approximately 9 crores will be placed in reserve. Sir, we on these Benches thoroughly approve of this proposal but reserve a more detailed comment for a later stage.

It will be evident, Sir, from what I have said that we have moved a very long way from the days when Sir Otto Niemeyer wrote: "the position of the Railways is frankly disquieting"—he was writing on the 6th of April, 1936—"The position is frankly disquieting. It is not enough to contemplate that within five years time the Railways may merely cease to be in deficit.". We have moved, as I say, a long way from a time when so distinguished a financial expert as Sir Otto Niemeyer could write in these terms of the Indian Railways; so that today, so far from merely clearing their deficit, they are contributing 36 crores by way of surplus, part of which will go to General Revenues and part to Reserve. From what I have said, I think it will be clear to Honourable Members that I consider the financial position of the Railways extraordinarily satisfactory and I feel sure that Government themselves must be very happy and the Honourable Member in charge in particular must count himself an extraordinarily lucky man that he is able at a time of high prices due to the war to present so favourable a budget to this House.

But, Sir, while congratulating the Honourable Member on the satisfactory results which the Railways show I should not like it to be thought that we on these Benches are necessarily completely satisfied. We hope he will "keep it up," to use the popular advertising phrase we see so often today, and that he will continue to contribute 8 crores to Reserves and continue to make a generous contribution to general revenues. For to the extent that he is able to do these two things, he will secure future benefit, as well as immediate benefit, both to the general taxpayer and to industry. Industry will benefit because if substantial reserves are there, they will be ready to meet the large replacement costs that will inevitably arise in the post-war years. Secondly, reserves will make it possible, or may make it possible, for the railways in the difficult post-war years to lower freights and fares: and thirdly, these reserves provide in a sense a cushion against post-war depression. By that I mean this: that in so far as the railways have cash available, they are able to assist the heavy industries and more particularly those most affected by a period of post-war depression. Whereas if they do not have strong reserves, they would be forced to repeat the appalling policy that followed the last Great War and the depression of 1929 to 1931, by which policy the railways only increased the difficulties with which industry was already faced. Sir, that is why we on these benches very strongly feel that Government must do all that they can to strengthen railway reserves in these prosperous years. We should also like to say that in our view the policy of Government with regard to dearness allow-

ance and grain shops,—which will provide not merely grain but also other essential commodities at reasonable rates to their workers,—is a policy which we wholeheartedly support and endorse. We also support the policy of charging so large a proportion of the expenditure that results from cyclone damage, flood damage and sabotage, to general revenues rather than draw substantially on reserves for such purposes. It is only right that in the case of damage done by sabotage and floods the present should bear the greater part of the cost so incurred.

The wagon position, Sir, we feel is disquieting. We appreciate what the Honourable Member has said with regard to what is being done to improve matters and we do recognise that a very great deal has been done to improve the wagon position. At the same time, Sir, we are not altogether satisfied that the figures which show increased mileage per wagon—per ton mile—is of necessity a matter upon which the Honourable Member can congratulate himself. For example, is it a desirable thing that, at a time when the pressure for wagons and locomotives is so great as it is today, piece-goods should be taken hundreds of miles from Ahmedabad to Indian States and kept there until a convenient time arrives to send them out and realise higher prices for the goods so held up in Native State? Sir, that is the sort of thing that has led to your increased mileage, and I am not at all sure that it is a matter upon which we can offer you any congratulation. The same remark also applies to sugar, salt and to foodstuffs generally. At the same time, we do realise that the railways have done a very great deal to catch hold of people who are doing that sort of thing, and we hope you will, again “keep it up” and catch a few more and stop them from such unsocial practices, which are, partly at least, the cause of the very serious rise in prices, for which the poor in this country are suffering so much today.

It has been suggested by some of our Members, and most of us agree with it, that where wagons have been held up by consumers, more severe penalties should be imposed. In that connection, Sir, I should like to inform the Honourable Member of a case which came to my own knowledge in the course of business in the last few months, where a certain firm in Calcutta which received wagons kept them for over a month before the coal was discharged into storage places. So that kind of thing should be stopped, and whether it is best stopped by forcing them to unload their coal within a certain specified period after arrival in their sidings, or whether it is best done by increasing penalties, is a matter that we should like you to consider.

Finally, Sir, I should like to say a word very briefly about the rolling stock programme. We on these Benches agree wholeheartedly with the programme which Government has set before it. The programme involves an expenditure of some eight crores on locomotives and boilers, $3\frac{1}{2}$ crores on wagons, and so on. We consider that these replacements of rolling stock and locomotive power at this time are extremely necessary, both with a view to maintaining the efficiency of the railways and to preventing a very acute situation arising in the subsequent years. We therefore support the programme which Government have outlined in their capital programme for the coming year.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I congratulate my Honourable friend, the War Transport Member on the lucid manner in which he has presented the most prosperous budget ever since the separation of railway finance from general finance. The prosperity no doubt is mostly due to war conditions but it is very gratifying that the railway administration in spite of enormous demands on its resources, and the difficulties of renewal and supply, has discharged its obligations in a most admirable manner. The responsibilities of railway transport have immensely increased on account of the shortage of petrol, and I confidently hope that our Indian railways, of which we are so proud, will cope with the continuous increasing demands during war time.

[Dr. Sir Zia Uddin Ahmad.]

Sir, I want to discuss two problems during the Budget debates. The first is the financial policy and the second is the administrative machinery for Indian railways.

Now the present situation is exceedingly helpful. As my Honourable friend is an expert business man, he will probably be able to appreciate the financial difficulties and administrative problems which I shall lay before him. The issue before us—and I think we ought to decide it is whether the railways should be run as a business concern or as a service of public utility. The Honourable Member's predecessors were all I. C. S. officials and they treated the railways as an administrative Department of the Government of India and vested even their subordinate servants with powers of arrest, which nobody would contemplate doing in a business concern; but when it came to treatment of the subordinate staff, they treated them as if they were employed in a business concern and the right of appeal was practically denied to them. So this Department was treated sometimes as a State Department and sometimes as a business concern, just as it suited the administration. It is now high time that we have a clear understanding in our own mind as to how the Railways should be treated.

If we are to treat it as a business concern, then the Railways should be deemed to be owned by the Government of India and the Railway Board may be regarded as a Board of managing directors: the capital here is not subscribed by the shareholders, but it is borrowed by the Finance Member on the security of the Government of India; the Finance Member acting as a broker charges one per cent. commission, and thus Railways pay one per cent. more than the bank rate of interest; and this is fixed by the Convention of 1924. It therefore follows from this that the Railway Board should pay ordinary income-tax, super-tax and excess profits tax; but they are exempted from these taxes and they have made negotiation under the Convention of 1924, handing over a certain portion of their surplus profit to the general revenues, and they keep their accounts in a manner which as I shall show later on is an evasion of income-tax.

If, on the other hand, we treat this as a concern of public utility, maintained for the public benefit, then it is not a money-making concern for enriching shareholders and managing directors. In this case, the railways may be deemed to be owned by the people, administered by the people and run for the benefit of the people. The losses or profits must be borne by the people of India and should consequently be debited and credited to the general revenues. The separation is only a matter of convenience and is of great help in the fixing of the rates and fares. In the South African Railways, rates and fares are so fixed that the railways do not show large surpluses or abnormal deficits. Our Railways, although they exist for public utility, increase the rates and fares under the old dictum "Charge what the traffic can bear". We must judge the Indian railway administration on the theory that it is a service of public utility. Is it desirable to build up a reserve to an unjustifiable extent at a time when every penny should be utilised for the successful prosecution of the war? According to the Budget now before us, a reserve of Rs. 93.53 crores has been accumulated under the heads of what might be called ordinary and depreciation reserves. There are two reserves, which I shall discuss later on. These two reserves amounted to Rs. 58.73 crores two years ago, and only Rs. 25.15 crores before the war; so that during the war they have increased their reserves from 25.15 to 93.83 crores.

About this depreciation reserve fund, I have been repeatedly drawing attention that this present system of depreciation reserve should be abolished as early as possible; and my reasons, which I have given previously and some of which I shall repeat now, are as follow. One is, and I quote from my book: "the Depreciation Reserve Fund should now be abolished, for the reasons given

in 1875 itself for abolishing depreciation: it is unfair to the railway administration and to railway employees, as by including contributions to the reserve fund under the working expenses under the false name of depreciation, we show an artificial deficit. The operating ratio is increased, which is a slur on the administration, and it results in retrenchment and reduction and cut in salaries, not because there is a real deficit but an artificial deficit created by wrong higher finance". That is one of the reasons I have given, that if you set aside under the depreciation fund, a fund under the name of depreciation reserve fund, it is rather unfair.

Secondly, there is no country in the world that has adopted this system. We are the only country in the whole world, isolated, who have adopted this practice of building up a depreciation reserve fund. I am speaking with authority and with knowledge. I may tell you that I have before me all the figures for the last twenty years, since the separation of railway finance from general finances. During these twenty years we have put down Rs. 251 crores under the head of depreciation reserve fund. Out of this we have spent about 167 crores for renewals and replacements, and have a reserve of about 84 crores still. From the experience of these twenty years, we see that we have been depositing at the rate of $12\frac{1}{2}$ crores in this particular fund, while our expenditure for renewals and replacement is only $8\frac{1}{2}$ crores; it therefore seems desirable that only this $8\frac{1}{2}$ crores should have been provided under this heading, and the remaining 4 crores ought to have been under the head of Reserve. I see no advantage in maintaining two reserves—one under the name of ordinary reserve, and another as depreciation reserve.

The next thing is, how is the depreciation to be calculated? They have adopted a novel formula, that depreciation is equivalent to one-sixtieth of the capital at charge. There must be some common sense in figures also. The word 'common sense' is a peculiarly English word—there is no corresponding word for it in German, French or any other European language. I attended lectures in Germany and there they called it 'Englisches common sense' but there is no word in German language for it: similarly in French there exists no word and the French express the idea by the word 'common sense des Anglais'; sometimes people have asked me to define common sense and I have said that its definition can be of the same manner as the definition of mind and matter: what is the definition of mind? No matter. What is the definition of matter? Never mind. This is the best definition which our philosopher the Finance Member would give. The same thing applies to common sense. But we understand what it means, never mind for its definition. The depreciation is taken as $1/60$ th. Why not $1/59$ th? Is it because sexagesime scale was used by the Greeks and Arabs in all calculations or for any other reason? Why not $1/61$ I love a prime number. My Honourable friend may like a composite number, but this is exceedingly artificial and there must be some basis of calculation.

I looked into the basis of calculation carefully about two years ago when I was writing my book, and they said that they took up the life of the engines, the life of this part, the life of that part, and so on, but they omitted the fact that after the life of the engine is finished its value is not reduced to zero, it will still have some value left, but that value has been omitted. Now, our experience of 20 years during which we have had good time and bad time, has shown that we require about Rs. $8\frac{1}{2}$ crores per annum for replacement and renewal, and this sum only ought to be provided and not one-sixtieth of the capital at charge. This reminds me of another calculation about the price of a boot. If, you put the depreciation at $1/60$ th of the capital at charge, what would be the depreciation of a pair of boots which I purchased for Rs. 20 and resoled it about four times and each time I spent Rs. 5 for resoling? I will now have to deposit in the depreciation fund $1/60$ th of not Rs. 20 but of Rs. 40, which is unfair. This method of calculation at $1/60$ th of the

[Dr. Sir Zia Uddin Ahmad.]

capital-at-charge is exceedingly arbitrary. I request the Honourable Member to consult the Auditor General and his colleague, the philosopher and financier, and he will find that the basis of calculation of his depreciation is wrong and peculiar only to this country. Provide in the Budget only the actual amount which is required for renewal and replacement which will be about 8½ crores. This sum may slightly fluctuate.

The Honourable Sir Jeremy Raisman (Finance Member): Would not the Honourable Member's argument lead to the conclusion, because for the first six months he would not have to re-sole his shoes, there was no necessity to make any provision for shoes?

Dr. Sir Zia Uddin Ahmad: I am sorry that this is not the finance of the Railway Department. They put in the depreciation fund from the moment the money is advanced by them, not from the moment when they begin to use it. I should like the Honourable Member to consider this particular aspect, whether we should not follow the practice of other countries and keep for renewal and replacement only that amount which is actually required. I can understand one particular thing, namely, that during war time it may not be possible to get all these engines and various other material from Europe. In that case you keep this amount of replacement which ought to have been spent in the year 1942-43, to be spent in future years. This can be done as has been done in many institutions—namely, that the expenditure which was really voted for this year has been carried on to be spent after the war.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Should not that policy apply to other assets besides locos and wagons?

Dr. Sir Zia Uddin Ahmad: Yes. I am talking only about replacement and renewal. Whatever replacement which you wanted to have now but could not be got this current year—it seems desirable that that amount should be set aside for the particular year when these things become available. That is all I want.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): That is what is being done now.

Dr. Sir Zia Uddin Ahmad: I am given to understand by a member of the Railway Standing Finance Committee that this practice is being followed. If that is so, that is all what is required and nothing more.

Again, we should set aside in the reserve fund only the amount which is necessary and not build up indefinite reserve. What is the amount required? The Wedgwood Committee recommended a sum of Rs. 50 crores and thought that that would probably be enough for the reserve fund. I go a little bit further and say that reserve should be equal to the expenditure of one year, that is, from Rs. 75 crores to even 90 crores. After this amount has been set aside, whatever surplus is made, it should be transferred to the general revenues. When we are contemplating a reconsideration of the convention of 1924 we should note that railways are not mere business concerns. They are public utility services. We should set aside only a certain amount of reserve, and any sum that accrues over and above that maximum reserve should go entirely to the general revenues for the prosecution of the war. It is not right to accumulate an amount which is more than necessary, because, after all, the Honourable Member has received the money on account of war conditions. The money has been earned on account of the privations which we are suffering, and it seems desirable that the Railway Department should hand it over to the war funds, and if this is done, our taxes would be proportionately diminished, and in that way it comes back practically to us.

Before I turn to the second question of administration let me again appeal to the Honourable Member to seriously consider the question of the position of the depreciation and reserve funds and examine what other countries are doing and follow their practice, because, after all, every other country is not

lacking in financial vision and why should we follow a practice which has not been followed so far anywhere else. I will give you a book on what is called the statistics of International Railways where all these particulars are given.

Now, let me take up the question of administration. Unfortunately this has been mixed up with the question of Federation, and I do not like that the question of railway administration should be mixed up with the question of Federation. I do not like that the authority which will administer the railways should be responsible to Parliament; I think it should be responsible to the Indian Legislature, and the authority which will administer the railways on our behalf as a public utility service should be created by the Indian Legislature and it should be responsible to the Indian Legislature.

Mr. President (The Honourable Sir Abdur Rahim). The Honourable Member's time is up.

Dr. Sir Zia Uddin Ahmad. I will take up this question on another occasion.

Mr. Jamnadas M. Mehta (Bombay Central Division. Non-Muhammadan Rural). If huge profits were a matter on which we should congratulate the transport service of the country, then certainly the Railway Department deserved those congratulations. But I am afraid those profits are unhealthy. They are taken out of the poverty of the people, and entirely belie what Sir William Acworth said that a tax on transport is vicious. That you should, after making a provision for every outgoing, make a profit of Rs. 36 crores is an unhealthy sign and not a matter for congratulation, and it is definitely due to the burden on the poor to a very great extent. The House knows that in 1936 rates and fares were raised quite unnecessarily. Again they were raised, again they were raised, and for four times in the last six years rates and fares have been more or less increased once in two years, and it is at least the income of Rs. 10 crores from these increased rates and fares which is responsible for this surplus. Why do they want it? If they do not want it for running the railways, then why do they go on taxing the people,—Rs. 10 crores which is entirely unjustified by the state of the railway finances?

Of course, being a monopolist, there being nobody here to check them and

12 Noon. Members generally being more anxious to bother themselves about third class passengers' grievances than about anything else, the Railway Board has been able quietly to take whatever it wants to the great detriment of the poorer people. In this huge food crisis, what should have been the duty of the Railway Board? When food was not easy to get and, if you got, it was too costly to buy, as it still is, in a crisis like this nothing should have stood in the way of the Railway Board coming forward to transport certain articles of food free. That is the kind of service to which my Honourable friend, Sir Edward Benthall, should have referred but although he agrees to the principle that it is not money but service that counts, there is no service but there is money only. If service counted, this ten crores of extra revenue from the poor passengers and those who use the railways for transporting goods is an entirely unwarranted burden which the railways should never have placed on the public. In addition they should have carried the main articles of food entirely free. What does it matter? After all, we are one. We are a State organisation. We are working for the people and for the State and when you have plethora of money and the food situation is so extraordinarily difficult, the Railway Board should have been the first to come forward and say that certain articles of food. I don't say all, will be conveyed free. What a magnificent impression it would have created? What positive proof would it have supplied to the people of the consideration which the Railway Board feel for them! My Honourable friend, Sir Edward Benthall, rightly described that service ought to be the goal and not profits but quite the reverse is being pursued. I would very much welcome even now a change in the policy in the matter of rates and fares and that the increases of 1936-37 should be abolished and certain articles of food should be carried from one end of the country to the other free. Some people will try to show that this is a very crazy idea but in a crisis like this, when the people are

[Mr. Jammadas M. Mehta.]

the backbone of the war effort, there is nothing crazy which you do in their interest. I know all these so-called financial and business considerations but there is no need for applying them in the circumstances which I have stated. On the other hand the extreme socialistic Russian principle should apply. The food of the people shall be carried free. Nothing would have been lost. The Railways would not have become bankrupt. To that extent, therefore, there is not so much scope for congratulations as for regrets and I think that an entirely different policy should have been pursued in the matter of railway policy.

Very rightly compliment has been paid to Sir Leonard Wilson and his officers and men for the splendid service they are rendering to the war and to the trade and the public during this time of extraordinary strain. I can bear testimony and I can honestly say that every word of that compliment is fully deserved. I have seen the Chief Commissioner working at night till very late hours, coming to his office very early in the morning and there is hardly any hour of the day and few hours of the night when he is not dealing with one or the other of the important railway problems which are crowding day after day and multiplying beyond anything that was ever expected. Sir Leonard has been carrying this burden over his shoulders during the war in a magnificent manner and therefore we echo the compliment which the War Transport Member has paid to him. The compliments paid to the men are also very warm and sincere and I thank the Railway Member for that unequivocal testimony to the loyalty and devotion to duty which six or seven lakhs of railway men have shown during these three years of strain and which, we hope, they will continue to show in an increasing manner till the end of the chapter. He will permit me to say that with such a compliment he should at least have satisfied himself that these six lakhs of men get their food and that they do not go hungry, that their wives and children do not wait for food which never comes and that the railway system does not become a huge organisation of slave labour at the point of the bayonet under the various legal provisions during the war. He cannot leave the job, he cannot get enough food and that, with 36 crores lying about! Have you ever seen so much starvation in the midst of so much plenty? The Railway Board have got 36 crores of rupees but they cannot feed their men. In fact, they have ceased to think about it. I am very sorry to say that they fired the last shot in August and since then they seem to feel that everything has been done and nothing remains to be done and all the representations that we have made since August till the last week have received no response. In fact the tactics of the Railway Board are dilatory and they have exasperated the starving millions who constitute the railway employees and their families. That the people in the Transport service, who are second in importance only to the soldiers, should be considered so lightly when their food is concerned, is baffling to me both on the grounds of humanity and self-interest.

Why are the Railway Board inviting trouble when their labour has been so content even with the very small modicum of the dearness allowance they have got? Let it not be imagined by the Railway Board that what they have given represents anything more than bare 25 per cent. or even less than the actual cost of living. The August cost of living was 168; since then it has increased to 205. Let me tell the House that the Bombay *Labour Gazette* index numbers are no longer reliable because it is stated in the body of these figures that so far as rice and one or two other articles are concerned, no market rates are available. Therefore, they only contain the actual reported market cost in July. Therefore, 205 is not the real figure, as the cost of rice is not reflected in the index number of the cost of living of the Bombay *Labour Gazette*, and the Bombay *Labour Gazette* figures have been admitted to be 25 per cent. wide of the mark in the wrong sense, which means that they are lower than the real rise in the cost of living. Therefore, the real rise in the cost of living today must be somewhere near 250 and not 205. Now, if 150 is the number of points

by which the cost of living has arisen, just see what we have got. We get Rs. 10-8-0 highest. Against 150, Rs. 10-8-0 is the amount we get, which means that if I was getting a salary of Rs. 4, I am getting completely compensated because Rs. 10 represents 150 rise, that is, 250 paise distinct from 4. So, it comes to 102 and 150 and 4 and 10. So, unless the man is getting a salary of Rs. 4, he cannot get adequate compensation under this scheme of dearness allowance, and the higher my salary the lower is my compensation of Rs. 10-8-0. Supposing I am earning Rs. 50, then Rs. 10-8-0 is 20 per cent., as against 75 which should be the rise. And this bogey of inflation where the poorest are concerned is entirely unscientific. Why should these learned gentlemen try to mislead a very well disposed House, I would say, into a state of mind where they are threatened that if the worker is given food there will be inflation? That is a very strange thing, that if the worker gets food, there will be inflation. Therefore, in order to honour the theory of inflation, the worker should starve. This is an extraordinary state of mind which they know is not justified, but they use it with tiresome reiteration. The Honourable the Finance Member made it fashionable last year and I thought it would at least in some degrees receive the quietus, but I find that its recrudescence is even more violent now. I am simply saying that today's dearness allowance, according to the rise in the cost of living, is fully justified and no inflation will arise so far as those who are living on the margin of starvation are concerned. That has been spoken *ad nauseum* in London by the *Economist*, has been quoted in that Journal and has been supported by the High Court Judges that so far as the humblest are concerned nobody should be pulled down the abyss of starvation in the name of inflation.

The Honourable Sir Jeremy Raisman: Does not the Honourable Member admit that in so far as the goods cease to become available or become available in smaller quantities, the cost of living index is vitiated?

Mr. Jamnadas M. Mehta: It is not at least so far as the people who are living on the border-land. It ceases to be a problem of human regulation of social life as against the supposed economic theory. If you tell me that my economic theory must survive even if the workers starve, then I am pointing out that that is not necessary. I entirely agree that a man, who is buying two *saries* for his wife and is now only able to buy one because of the rise in the cost of living, should not get compensation. I am entirely of opinion that a man who is having two journeys to the hills in the course of the year should not be compensated for not being able to go to the hills at all, but if a man cannot get rice or if his children cannot get even rags to wear and you say that if you give him dearness allowance inflation shall set into motion, I cannot agree. That is all I am saying. I am not disposed to challenge the whole doctrine of inflation. In fact, I do agree with it but with this reservation. I now hope that the Honourable the War Transport Member will make a statement of what his intentions are about the dearness allowance because the workers have got so exasperated.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time-limit.

Mr. Jamnadas M. Mehta: Shall I finish in two minutes, Sir?

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable Member must conclude his speech now.

Mr. Jamnadas M. Mehta: I have nothing else to say except that I hope the Honourable the War Transport Member will make a statement on the Government attitude as to the course of action they will take about the dearness allowance.

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh—Muhammadan Rural): Mr. President, Sir, I offer my warm congratulations to my esteemed friend Sir Edward Benthall. I have known him for at least 15 years. Honourable Members of this House may not be aware of the fact that he was one of the 'biggest commercial magnates of Clive Street in Calcutta. He has sacrificed much to serve us and to serve this country by accepting the post which he is

[Sir Abdul Halim Ghuznavi.]

holding now; a right man has been selected, if I may say so, for the right place. The Honourable Member for War Transport has, according to the tradition of his predecessors, presented a Budget which is characterised as a 'prosperous Budget'. Prosperous it is, with a spectacular surplus; but at what cost? As Mr. Jannadas Mehta has said, at the cost of the sufferings and sacrifices of millions of people, that follow in the train of a war of this dimension. I do not for a moment suggest that the Honourable Member is responsible for this war: but I should make it clear that the prosperity of his Budget is due entirely to the war. I am glad that he had the frankness to admit that the prosperity is only illusory.

Now, Sir, I want to place before this Honourable House three points that were made out by the Honourable Sir Leonard Wilson in the Council of State. The Honourable the Member for War Transport did not give us in his speech anything about these three points which were raised by Sir Leonard in the Council of State.

Sir, the first point that he made out in his speech in the Council of State is this: He said that while charges for transportation have been increased in respect of certain commodities, charges for military traffic have remained unaltered. Sir, the military traffic constitutes about fifteen million tons and is about 15 per cent. of the total traffic. It is difficult to conceive why charges for military traffic should not be increased corresponding to the increase in the charges of other commodities. In war finance the cost of military traffic borne by Indian Railways is part and parcel of the contribution that India makes towards the war. By charging less in the book-entry for such military traffic India's contribution is misrepresented by concealment of a certain expenditure on military transport to the extent they are undercharged now.

The Honourable Sir Edward Benthall: We do not charge less.

Sir Abdul Halim Ghuznavi: You have increased the charges for other commodities but you have not so increased for military transport. That is how you are charging less for military transport than the others. This, I am afraid, will affect India adversely when the question of the allocation of war expenses between His Majesty's Government and the Government of India is finally taken up. That is the point which I want to make out. You have got tremendous transport of commodities other than military commodities and military transport. You are giving the benefit of lower charges to the military which will ultimately tell against India's contribution towards the war in terms of cash. There you are deceiving us in this respect.

Now, Sir, the second point is this, and this is more important than the first. Sir Leonard has stated in his speech in the Council of State that there has been a reduction in capital by 160 lakhs as a result of rolling-stock sent abroad, and 42 lakhs as a result of 42 miles of Branch Lines dismantled. We have had that reduction in the capital of 160 lakhs on account of rolling-stock sent out and 42 lakhs on account of 42 miles of branch lines dismantled which also has been sent abroad. Now, Sir, while India has given away this rolling-stock and lines at the original cost of these less the corresponding depreciation—what is the result?—India is now called upon to replace these by importation at costs which are entirely disproportionate to the old costs owing to the exigencies of the present situation.

Mr. N. M. Joshi (Nominated Non-Official): There you are right.

Sir Abdul Halim Ghuznavi: Look at the trick. We are selling these things when we should not sell,—when Government themselves need them and when we want them ourselves—at a cost which prevailed 20 years ago less depreciation of the ten or twenty years. Sir, is this fair to India? Equity demands that the price charged for such rolling-stock and other incidentals exported or sold should bear relation to the cost of replacement that India has to bear now.

Now, I come to the third point. The Honourable Sir Leonard Wilson disclosed in his speech in the Council of State that militarization of the Bengal

and Assam and certain sections of the East Indian, Bengal Nagpur, Madras and Southern Mahratta and South Indian Railways involves an expenditure of less than a crore, which sum represents only half the cost of militarization, the other half being borne by the War Department. Now, Sir, equity demands that this allocation of militarization expenditure shall be borne entirely by the War Department, because it constitutes an expenditure which is India's contribution to the Defence expenditure. What is the idea behind allocating it arbitrarily between the Railways and the War Department on a fifty: fifty basis? I will now turn to certain vagaries of the East Indian Railway Management in dealing with caterers and granting monopolistic catering contracts. At a meeting of the Central Advisory Council for Railways held at Delhi on the 18th March, 1940, the Council made certain recommendations in regard to the granting of catering contracts and licences to caterers. The primary recommendation was that the railway authorities should always act in consultation with the Local Advisory Committee. Another recommendation was that where new contractors or vending licensees have to be selected, preference should be shown to those resident within the area to which the contract relates. This recommendation will be found on page 5 of the Advisory Council Report of 1940. Early in February that year a Resolution was tabled by Dr. Sir Zia Uddin Ahmad. Many Honourable Members condemned the E. I. R. General Manager for his arbitrarily dealing with caterers. I should like to draw the pointed attention of the Honourable the Member for War Transport to the statements made on the floor of the House by my Honourable friend, Mr. Akhil Chandra Datta, and by myself contained in the Legislative Assembly Debates, Official Report, Vol. I-1940, pages 179 and 180 and 181 respectively. In that speech, I pointed out that the General Manager of E. I. R. seemed to be having a great fancy for Ballabhdas Eshwardas. I would also like to draw the attention of the Honourable Member to the assurance in this respect given by his predecessor on that occasion contained on page 197 of the same Volume.

Now, Sir, during the December air-raids on Calcutta, the Hindu Refreshment Contractor at the Howrah station suffered the same fate as that of any other restaurant in that city when some of their labourers fled. The General Manager took that opportunity to straightaway throw him out and to appoint in his stead, quite arbitrarily, of his own sweet will and pleasure, Messrs. Ballabhdas Eshwardas.

Mr. N. M. Joshi: What else can the General Manager do if the Contractor had fled away?

Sir Abdul Halim Ghuznavi: The Contractor did not run away. The refreshment room was there, but the hotel servants had run away. The Local Advisory Committee was not consulted, nor did the General Manager care to see that the other recommendation of the Central Advisory Committee for Railways, that local men should be given preference, was observed. The contract was not given to a Bengalee. The Contractor prayed and appealed and said that his shop was all through open and that he was only short of labour, but that nevertheless he carried on. He also submitted that if he had committed any mistake, he might be forgiven for once. But nothing doing.

The Honourable Sir Edward Benthall: Did Messrs Ballabhdas Eshwardas supply labour to carry on, when they took over?

Sir Abdul Halim Ghuznavi: No, they have not yet taken over. The order is that the present contractor should quit by the end of February. There is no question of Messrs. Ballabhdas Eshwardas being able to procure labour. My Honourable friend, the Member for War Transport, if he reads the debate, will find who this Ballabhdas Eshwardas is. He will learn what the facts are. He will learn the whole history. This man is the favourite of the General Manager, E. I. Railway.

Now, Sir, I should like to say a few words about the punishment that is meted out to us for travelling by E. I. Railway to Delhi. Travel I must,

[Sir Abdul Halim Ghuznavi.]

because I happen to be a Member of various Committees and for that there is a special punishment meted out by E. I. R. Since the recent political disturbances in the country started on 9th August, practically all railways, except the E. I. R., have published their time table, owing to the changes that have been necessary in the running of trains. The last published time table of the E. I. R. is May 1942 which I possess here. Not after that. Very well, I have no grouse about that. The running hours cause the maximum inconvenience to passengers. I will deal with two of their most important trains which run to Delhi. According to the last published time table, after the cancellation of the Restaurant car attachment, the Toofan Express left Howrah at 13-32 hours arriving Delhi at 16-30 hours the following afternoon and Delhi Mail left Howrah at 18-05 hours arriving Delhi at 21-30 hours the following day, thus doing the journey in 27 hours and 27½ hours respectively. After the dislocation of traffic owing to sabotage etc., the trains had necessarily to slow down and according to advertised timings, the Toofan Express was to leave Howrah at 20-30 hours arriving Delhi at 6-15 hours on the third day and the Delhi Mail to leave Howrah at 21-00 hours arriving Delhi at 6-50 hours on the third day, thus doing the journey in 33-45 hours and 33-50 hours respectively. But since the recent air-raids on Calcutta, the Toofan Express and the Delhi Mail take 37-15 hours and 36-20 hours respectively. The Toofan Express leaves Howrah at 17-00 hours instead of 20-30 hours and just fancy, where are the passengers kept all these 3½ hours without even amenities for food. These 3½ hours are wasted on the way to Burdwan. From Calcutta to Burdwan it is 67 miles and this journey used to be done previously in 1½ hours. Now, it takes 3½ hours because it is only from Asansol the previous scheduled timing is to be taken up. This is the punishment to the passengers on account of the air raids on Calcutta. The railway authorities cannot adjust themselves to this. The same thing happens to the Delhi Mail.

Sir Hugh Raper (Government of India: Nominated Official): Did the Honourable Member say they could not adjust?

Sir Abdul Halim Ghuznavi: They do not adjust. They will not adjust. It is absolutely foolish to keep the train waiting 3½ hours and take the old timing from Asansol. I have just brought this to the notice of the Honourable Member for War Transport. If he likes, I can explain it to him further. They can easily run the train to proper timings suited to the passengers, but they do not do it; they are callous as regards passenger service. The General Manager of the E. I. R. has no respect for Indian public opinion.

Sir, I have received a telegram from the Indian Mining Federation which I desire to bring to the notice of the Honourable Member. The telegram says:

"Honourable Member's statements in reply to Mr. K. C. Neogy's question show average five hundred wagons daily short supplied 1942, compared with 1941, resulting over thirty-six lakhs tons less coal despatch stop. Coal wagon position still worse current months reacting adversely on large number small collieries stop. Committee strongly urges Government to take immediate steps to increase number of available wagons for coal loading and also to earmark daily before other allotments at least three hundred wagons for loading domestic fuel and coal for small industries not on war works such as flour oil rice mills etc., supplied mostly by second class collieries stop coal output already dangerously low committee apprehends if steps not taken at once further drop would necessarily follow with disastrous results due to forced restriction of output and closing down large number second class collieries for nonsupply of wagons resulting coal production much below country's requirements."

Then, Sir, Seth Sunderlal Daga, who is unfortunately not here today, and who is the President of the Marwari Chamber of Commerce has asked me to place one matter before the House.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sir Abdul Halim Ghuznavi: Sir, I will take one minute more.

The Marwari Chamber of Commerce has drawn my attention to section 77 of the Indian Railways Act. They want to amend section 77 in order that the

period of limitation shall run from the date the claimant is informed of loss or damage or overcharge instead of from the date of consignment. Sir, I close my speech.

Mr. Frank R. Anthony (Nominated Non-official): Sir, I have very many questions and grievances to submit to the Honourable the Member for War Transport. In the comparatively short time at my disposal I shall have to squeeze as many of these problems as possible, and I would ask the indulgence of House if I seem to double my speed of speech.

I would like, first of all, to congratulate the Honourable Member on his Budget speech in which he paid a tribute to the wonderful response of the railway workers throughout the country and I feel that this tribute and the gratitude of Government to railwaymen throughout the country cannot be over-emphasised. I do not exaggerate when I say that but for the loyalty and the devotion to service of the railwaymen throughout the country the wheels of the war machinery and of the war industry in this country would definitely and inevitably have come to stop. I would also like to endorse the opinion of Honourable Member who just paid a tribute to the Honourable the Member for War Transport. In Sir Edward Benthall, I believe, we have the right Member in the right place, and, I also believe that in him we have a real friend of the railwaymen, one who is doing his best and his sympathetic best to help and assist them wherever possible. And that is why I feel sure that the appeal I intend to make to the Honourable the Member for War Transport will not fall on deaf ears.

I have recently concluded a very extensive tour, Sir, of Bihar, Bengal and Southern India, and I have visited practically every railway centre in these provinces. The points I am raising are grievances, substantial and real grievances, against the railway administration which I hope the Honourable Member will meet and redress. They are points and grievances which I have collected not as the result of isolated instances but they are grievances based on the general desire of the men and needs based on the general needs of the railwaymen.

The first point with which I shall deal is the unfortunate and the unusual classification of certain persons on the G. I. P. Railway. They are known as temporary-permanent drivers. Allow me to assure the House that this unusual classification is not of my making. It is a classification which seems to have no meaning at all and it is, I believe, peculiar to the G. I. P. Railway. An analysis of the conditions of these temporary-permanent drivers cannot but lead to the conclusion that not only is it an unhappy classification but the conditions under which these persons are living are equally unhappy. It seems to be a classification,—a meaningless and self-contradictory classification,—specially evolved in order to secure the maximum of work for the minimum of remuneration. I should like to enforce my point by an illustration. For instance, we have what is known as temporary-permanent goods drivers on the G. I. P. Railway. These men are usually required to work for many years in a temporary capacity working on passengers and mail trains. They are not confirmed as passenger or mail drivers. They are not given the allowances and the wage of passenger or mail drivers. They are only given the wage of a goods driver in spite of the added responsibility and the more onerous type of work that they are required to do. I cannot conceive, Sir, of a more dubious and a more torturous procedure for extracting the maximum of work and responsibility from people and at the same time of denying to them the allowances and the wages which they have earned and to which they should be entitled, both in law and in morality.

The next point I wish to emphasise is the invidious and the erroneous system of ranking which is adopted by the South Indian Railway with regard to those employees who have volunteered for and are enrolled in the Indian Corps of Engineers. This system of ranking is entirely different from the system prevailing in all the other Railways and I might mention for the reassurance of the

[Mr. Frank R. Anthony.]

Honourable the Transport Member that it will not cost the Railways a single penny more if this system, adopted on the South Indian Railway, is brought into line with the system obtaining on the other Railways. I shall enforce my point by an illustration. For instance, you have men like the Locomotive Drivers and the Station Masters on the South Indian Railway, who are classified as ordinary sappers. Their contemporaries and equals on the other Railways are given Warrant Officer ranks and in many cases they are given Officer ranks. For instance, on the Madras and Southern Mahratta Railway a Station Master is often ranked as a Captain. He is invariably ranked at least as a Lieutenant. His brother on the South Indian Railway is an ordinary Sapper. I am not basing my plea on notions of false pride or prestige but the position, to say the least, is highly anomalous and invidious. These two Railways are physically contiguous. You have got a man on the running staff of the Madras and Southern Mahratta Railway, he meets a man of equal status, perhaps a man of superior status on the South Indian Railway, and the man on the South Indian railway has to click his heels whenever he meets him, and the system on the South Indian Railway is also destructive both of discipline and efficiency. These men, like the locomotive drivers and the Station Masters, particularly the Station Masters, have to control large staffs: they have to enforce efficiency but when they knock about, as they do today, in uniform as ordinary Sappers, ranked as equals with their most menial subordinates how can you expect them to maintain the efficiency, and command the respect which they would have commanded but for the present militarisation.

The next problem, Sir; and it is a burning problem, is the problem of over-work. It is a problem which is particularly noticeable on the East Indian and the G. I. P. Railways. I quite appreciate the fact that under emergent war conditions there is bound to be an inevitable dislocation of railway work and of railway time of work. And may I say, Sir, on behalf of the subordinate staff that these men are not in any way inclined to shirk their work. They are prepared to do their bit and to do more than their bit, and to do that with more devotion even than the railway officials. But, Sir, when a man is required to work for more than a maximum period of 12 hours a day you are asking him to do what is physically impossible. The rules and the provisions governing railway work lay down that the maximum period of duty should be up to 12 hours. And when a man has stoked or driven an engine for 12 hours, I submit, he has reached the saturation point of physical exhaustion. A railway official sitting in his office, driving a quill and closed behind *khas tattis* may not be able to appreciate this fact and that is why inspite of representations made by me, the administration is still enforcing over-work on a very wide scale. The men are being compelled to work above the maximum period of duty. They would do it willingly if they could, but they are being compelled to work 20 to 22 hours, and in one case on the East Indian Railway, a man was compelled to work for 34 hours. And when these men, because they were completely exhausted in mind, body and soul, asked for their rest, to which they are entitled by the rules, they were punished. Yes, Sir, I can cite instances of men who have been charge-sheeted to show cause why they should not be dismissed because they have asked for rest after doing 16 to 20 hours work. I cannot conceive of any more ungrateful, any more humiliating and any more soul provoking way of dealing with your most loyal workers—workers who have stood by the administration in season and out of season: workers who have given you the maximum of work not only in their civilian capacity, but who have given you the most onerous and the most dangerous military service. Then are you being fair to the public when you ask these men to work beyond the limits of physical endurance? Are you fair to them and to the passengers, whose lives are entrusted to their care? Again, Sir, although these men voluntarily, and in many cases they are driven to, work beyond the maximum period of duty prescribed, there is no provision in many instances for giving them a single anna extra for the work

that they are doing. Take the case of goods drivers on the G. I. P. Railway. These men are paid according to the mileage system. Owing to the dislocation of traffic it takes on an average for a goods driver of the G. I. P. twice or three times as long to perform a journey as compared with pre-war timing. So that, instead let us say of doing 100 miles in 12 hours, he performs that in 24 or 30 hours. He either does that voluntarily or he is driven to do it. He is still paid according to the mileage he has done. I would appeal to the Railway Member to evolve some system to compensate these men for the tremendous burdens that are imposed on them.

Another most urgent and vital need of the railway man on all the Railways today is the need for a dearness allowance. I know, Sir, that this request will be resisted on the ground of financial impracticability. But the Honourable Member has told us that railway earnings have risen beyond all expectations. In the last war when conditions were, I believe, comparatively not more difficult than today, there was an all round increase of wages. I know, Sir, the Railway Member will reply that there has been the grant of a dearness allowance, but this has been restricted to the very low paid staff. I make a plea for those who are getting Rs. 100 and Rs. 500 a month. When you look at my figures you may say that these people will be able to manage if they tighten their belts. But this plea to tighten one's belt is in many instances not only a thoughtless but a fatuous plea made by people who are earning between Rs. 1,000 and 3,000 a month. They do not know what that involves. For them the tightening of one's belt merely means the reducing by one hole of the size of the wrapper around their monthly deposit.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): If the Honourable Member speaks with such speed, how is the reporter to report his speech?

Mr. Frank R. Anthony: I am trying to put in twice as much in the time allotted to me.

As I was saying, Sir, to speak of people tightening their belts is not only dangerously facile but is futile. If you analyse conditions, you will find that a man earning Rs. 200 to 250 a month on the railway is comparatively worse off than those styled as menial employees. The menial employee used to get, let us say, Rs. 16 before the war. With the dearness allowance and other allowances now granted to him, he has probably doubled his wage. But these people in the lower wage brackets to whom I refer get absolutely no allowance. On the other hand what are they faced with? They are faced with increased income-tax, with surtax, and surcharge increased conservancy and water taxes, and they are in addition being asked by an unsympathetic railway administration on some of the Railways to pay increased house rent. These people have on an average three or four children to educate. They are having to meet an increasingly high cost of educational expenditure, in addition to meeting the minimum expenditure for their families on food, clothing and toilet requisites. These people, who are earning Rs. 200 to 250 a month are, in the face of a tremendously increased cost of living, finding it difficult, if not impossible, to make both ends meet.

And yet, Sir, in spite of these financial burdens which are oppressing the railwaymen, we find the railway administration steps in and while refusing to give them a dearness allowance, adds to their burdens. I refer, Sir, to the increase of house rent imposed on the running staff of the B. B. & C. I. Railway as from 1st October, 1942. These people are occupying bungalows whose origin is lost in the mists of antiquity. These houses were built when labour was perhaps paid in terms of *courries*. The railway administration has re-imbursed itself over and over again for capital outlay from the rents it has charged railway employees for the past many years. Yet for some inscrutable and quite unjustifiable reason the railway administration has increased these people's house rent. You deny to these people, who are entitled to it, a dearness allowance.

[Mr. Frank R. Anthony.]

and by these obvious methods you extract a dearness allowance, so to speak, on behalf of the railway administration, there can never be any justification for this.

Another point which is causing the most intense heart-burning and justifiable resentment is the blocking of promotions by the system of extending the service of those who have reached the age of superannuation. Sir, if the railway wants particularly to supply a haven for its "old crocks" why not superannuate them and re-employ them as additional staff, instead of giving them extensions of service and thereby blocking the promotion of those who have been working for many years and who are thereby entitled, as a matter of right, to ask the railway for their legitimate promotion. Some of these men on whose behalf I speak have given you 20/25 years service. Some have only two or three years more of service to do. They expect their promotion and the emoluments consequent on that promotion. But what do you give them? You deliberately put before them a blank wall beyond which they cannot go. Instead of giving them the promotion and encouragement, they have earned you offer them a cup of gall. You have extended the service of these old crocks for the duration of the war and what is to happen to those who have only two or three years more of service to do? You deliberately make them stagnate in their present positions without a hope of any increase of emoluments. While you plead you cannot incur commitments financially in extending the dearness allowance, yet by extending the service of these crocks in the higher wage brackets, what do you do? You are deliberately incurring unjustifiable financial commitments because for the next two or three years you will be paying these men the railway contributions to their provident fund: you will be paying them thousands of rupees by way of these contributions to provident fund and you will also be paying compound interest on these contributions. The whole position is not only unjustifiable but really quite indefensible.

Finally, Sir, I shall deal very briefly with the question of appeals from railway men. I hope to elaborate this position at some future date on the particular Resolution which is to come before the House. May I say here that while there may be provisions in the Railways for appeals, these provisions tend to remain illusory? And I do not care who argues it, you cannot argue your way out of it. The officials do this because they believe they are maintaining the *izzat* and prestige of their administration. And so while you have these provisions for appeal, may I say that the railway administration definitely frowns on, and discourages, any attempt on the part of the men to secure redress? If the men attempt it, they are immediately branded as insubordinate, they are immediately singled out for victimisation. This is the curse of the

1 P.M. Railways throughout India—victimisation. Men are afraid to appeal because they know that if they appeal, even if their appeal succeeds because they have an unanswerable case, they will be branded, they will be victimised, they will be hounded by the railway administration. I can give you not one but scores of cases where the men are suffering silently rather than court the danger of appealing, because they know that if they appeal they will be victimised, branded for the rest of their career, even hounded out of service or kept down permanently.

I make an earnest appeal to the Honourable Member and the Railway administration. These grievances that I have put forward are real grievances; they are grievances that you can, if you will, redress; and I appeal for the redress of these grievances on behalf of the railwaymen not only as their friend, but also as a friend of the administration because by redressing their grievances and fulfilling their needs, you will be establishing more satisfying conditions of service. And the best workers are the satisfied workers.

Khan Bahadur Mian Ghulam Kadir Muhammad Shahban (Sind Jagirdars and Zamindars: Landholders): Sir, Gandhiji may fast or cease to fast. Honourable Members may come or go. But the Government of India goes on

for ever in its old old traditions. Much was expected of Sir Edward Benthall, but his surroundings have proved too much for him and he has simply followed in the wake of former Members in charge of his portfolio; another surplus budget has been presented for railways and still the same old handicaps and lack of common amenities for passengers persist. We have been told to thank our stars that the situation is not worse than it is today and that our fate probably is not worse than that prevailing in the great United States of America. In spite of a fat surplus—fat according to the Government of India themselves—not only has there been no improvement or amelioration of the lot of passengers they have been put to still greater disadvantages and difficulties. Reduction in passenger train service, we are told, amounts to a saving in train mileage of approximately 37 per cent. of the pre-war figure. That is that. The Honourable Member has told us categorically that he can offer no hope at all of any improvement in comfort or speed in passenger travel. Thank God he has not at least told us that it would be well nigh impossible to have any passenger traffic at all in the near future. I would like to enter a caveat against the systematic under-estimation of the revenues of the railways. Even at the risk of my being styled a bore, I have to give some figures in this connection.

The estimated surplus in 1939-40 was 2.13 crores, the revised estimates were 3.16 crores, while the actuals came to 4.33 crores. For the year 1940-41, the estimates of surplus were computed at 8.29 crores, the revised estimates at 14.59 crores, while the actuals came to 18.46 crores. For the year 1941-42, the estimates of surplus were arrived at 11.38 crores, the revised estimates at Rs. 26.20 crores, while the actuals amounted to 28.08 crores. The estimates of surplus for the year 1942-43 were put at 27.59 crores, and we are now told that according to the revised estimates it would be 36.8 crores. The Transport Member has estimated for the coming year a surplus of 36.04 crores. If tradition favours Sir Edward Benthall, he might indeed be called a happy man. But apart from individual happiness, this serious lacuna in estimating receipts and expenditure should be put an end to. Further the recent surpluses are not indeed real surpluses in the proper sense of the term. To a large extent this is a book entry; from one pocket of the government, funds are transferred to another pocket. We are told that serious maldistribution of food is the chief cause of the present food situation rather than any substantial shortage of food grains. If this be so, I am afraid, neither the Honourable Member in charge nor the railways could be very much complimented on the efficiency of their services.

The Honourable Sir Edward Benthall: Sir, we are not responsible for the distribution, only for the transport.

Khan Bahadur Mian Ghulam Kadir Muhammad Shahban: The boast about the high priority said to have been given to transport of food stuffs is not in keeping with that statement.

I welcome the opportunity for the reduction of the huge accumulation of our sterling resources in the United Kingdom. It is now taken for granted that the Government are shortly purchasing the Bengal and Nagpur and Madras and Southern Mahratta and the South Indian Railways. I trust this would ease to a considerable extent the sterling situation.

Sir, I would like to put a question to the Honourable Sir Edward Benthall and the high authorities ruling the destinies of our transport system. Eighteen years ago, the Lee Commission reported and the 25 per cent. reservation for Europeans came into existence. Now, that we are marching on the onward path of self-government and dominion status, is it not time that this old and obsolete system of reservation is scrapped? There must be complete Indianisation of our transport system.

While presenting the Railway Budget for 1940-41, Sir Andrew Clow stated that it is high time that the railway reserve is built strongly and placed on a secure footing. We are now told that out of 36 crores surplus, 8.94 crores

[Khan Bahadur Mian Ghulam Kadir Muhammad Shahban.]
is to be transferred to railway reserve fund and 27.8 crores is to go to general revenues next year. I am afraid that Sir Edward Benthall has gone away from his surroundings and has reversed the policy of his predecessor. I wonder why there has been this quick reversal of that policy. If I remember aright, the predecessor of the present Member, Sir Andrew Clow, commented in the Central Advisory Council that the pay of the staff of the B. & N. W. R. suffered by comparison with that of the other systems. Now that this railway has been brought under the orbit of State-run railways, I hope that this defect has been made good and the employees are on an equal footing with those on the other systems.

Sir Edward Benthall has given us the assurance that the dismantling of branch lines has practically come to an end. I am glad that for once the railway authorities have been able to accede to the request of the public. In this huge country, transport facilities are very meagre, and we can ill afford to curtail them still further. In this connection, I take it for granted that what the Transport Member has said is true—that the proposal for dismantling the Matli-Badin and Tharushah-Mahrabpur railways has also been dropped. This railway line is of considerable importance to the people of Sind, a province economically backward even in this backward country of ours. As regards his proposals for modifying the present Convention in the interests of the taxpayers I hope that no hasty action is contemplated in the immediate future. Proposals, if there be, have to be carefully considered and public opinion, I mean informed public opinion of business men and economists, should be consulted and taken note of before any final decision is arrived at.

Sir Muhammad Yamin Khan: I join other Members who have spoken before me, in paying great tribute to the Transportation Member, the Financial Commissioner for Railways and the railway administration as a whole, for doing great service to the country during the current year and during very trying circumstances, and for presenting this good surplus Budget. As a member of the Standing Finance Committee, I came in close contact with the Financial Commissioner for Railways. I found him a very amiable person and always ready to meet any proposals put up by the non-official members before him. I include in this respect other officials whom we wanted for elucidation and who came readily to the Committee and helped it to come to proper conclusions. I do not view this surplus as a real surplus, as has been pointed out by several speakers. The chief contributor is, instead of the travelling public or people who send their goods,—they used to be real customers of the railways, the real customer of the railways is the taxpayer himself, because whatever has been paid is paid by the Government, which means the tax-payer. So, we have to see that the taxpayer does not suffer more than what is necessary and that no heavier burden is placed on him than what is essential. I am very glad that in the present Budget a substantial amount has been placed at the disposal of the general finances, which means relieving the taxpayer to the extent of that amount. If this were otherwise, there would be heavier taxation. In this respect I am wholeheartedly with the Railway Budget that has been presented here. We are glad that a big item has been shown for the purchase of locomotives this year which were not available for several years in the past. I agree with what Sir Zia Uddin Ahmad has said, that we should not go on unnecessarily paying money after money for one purpose. I would like to point out to the House that it is not always possible, according to my experience for several years,—you cannot go on accumulating amount after amount in the depreciation fund when you have not purchased. For instance, if we could not utilise five crores of rupees which may be provided for locomotives in this year, we should not go on adding another five crores next year, another similar amount the third year and so on, accumulating up to 15 crores, while we know that the necessity which may arise after the war may not be to that extent. The finance depart-

ment of the railway administration, takes good care that an unnecessary amount is not put-up for a purpose, which may not in due course of time become necessary to spend on the purpose, and that is the right policy especially under the present circumstances when the taxpayer is being heavily burdened.

I should like to say one or two words about the railway administration. When we cannot find it easy to get men from England, the old policy of reserving 25 per cent. for recruitment in England should be given up, because we do not know how long the war will go on and how far India and the railway administration will be obliged to take anybody from England. Though that policy may have been, right in the past, now it is out of date and should be given up. First of all, an attempt should be made to get every possible job filled by Indians in India, and if there is any job which cannot be filled by a suitable Indian on account of special training and if the man has to be recruited from England, even then that man should be recruited in India and told that he should not consider himself as having been recruited in England. There is one thing which I do not like in the services—the distinction between a man who has been recruited in England and a man recruited in India. In the former case the man wants overseas allowance over and above what men recruited in India get. I want Englishmen being recruited in India on the same terms and conditions, the same advantages and disadvantages that Indians have here. The policy was wrong, and to continue it now is a greater mistake, especially in these days. All these distinctions,—overseas allowance, and other advantages of leave and other privileges, travelling expenses, travelling facilities, Lee concessions—all these cause a great deal of heart burning among the Indian employees of the railway administration. As we are aiming at, as Mr. Churchill said in the House of Commons, and it has been repeated many times,—soon after the war Dominion Status will be given to India,—I do not think that in Dominion Status any such anomaly can exist, and nobody will be willing to keep on to this anomalous position.

The Honourable Sir Edward Benthall: Would the Honourable Member not allow an Indian going to the United Kingdom or to America an overseas pay?

Sir Muhammad Yamin Khan: Ordinarily there is no fixation of proportion of services in England for Indians. If an Indian goes to England he goes at the expense and cost of India. He does not go at the expense and cost of England to serve England. If he goes there, as there is no reservation of services for Indians in the services of England, he goes only to serve India at the expense of India. Therefore, that question does not arise. If an Indian will go, he chooses whether he wants to go there or not but here you say that an Indian will not be taken but Englishmen will be taken to the extent of 25 per cent and if this man has to be recruited, then why should he not be recruited on the same pay and salary as an Indian would get? It is not right and though it may have been an inducement in the past, circumstances have changed now and we should adapt ourselves to the changing circumstances. Many things were right 25 years ago but they have become dead letter now and I think the sooner this question is taken up, the better.

Then, I do not like that the salary of a man recruited by the Secretary of State should not be votable. Why should this not be votable, when we are voting the whole Budget. I have never agreed to this in the past and I think the times have changed and before it is too late, the Railway Administration should take up this question.

The second thing which I want to bring to the notice of the Railway Administration is this. We have got a surplus Budget and I am very glad that the Railway Administration is giving a good and substantial amount for the relief of their poor employees but one thing has been ignored. The rise in prices has been very high but the relief you have given is not proportionate to the rise in prices. The value of the rupee has gone down to less than 8

[Sir Muhammad Yamin (Khan.)]

annas and the man who used to get Rs. 200 is now really getting Rs. 100 only, so far as the purchasing power of the rupee is concerned and you have given the relief only to the very poor people who had only few requirements but can you imagine that the man who gets Rs. 200 in cities like Bombay, Calcutta, Lahore and Delhi, with wife and children can hardly make both ends meet, because the prices of foodstuffs and cloth and other things have gone up so high. I think the maximum limit of salary for the allowances you have fixed is rather small. The maximum relief for the people in the bigger cities should be at least Rs. 200 a month and Rs. 150 a month in the smaller towns.

When you praise a man for the very good work he has done, you should not think that mere praise will satisfy him. It may satisfy some people but to people whose stomachs are hungry and who cannot get anything to eat, mere empty words mean nothing. If you sincerely and honestly say that you appreciate the services of your employees who have rendered good service under exceptional circumstances, then you must make substantial addition to their salary and not simply say 'I give you a good certificate or chit'. You have got ample funds in your hands. If you did not have plenty of money in your hands, then I would not say 'Be generous and give this man so much'. I would say 'I am sorry I cannot contribute anything, because I have got nothing.' But here you have got 36 crores of rupees and that is all got from your labouring population who have done good work for you and who have suffered a lot and done their work in conditions of great personal danger. Unless you give them some money in return, mere words cannot satisfy them. That is the only criterion for us to judge. Ordinary labourers in Delhi such as masons and carpenters get double of what they were getting before. The man who was laying bricks used to get 7 annas and now he gets 14 annas a day. The ordinary cooly woman used to get 5 annas a day. She now gets 10 annas. The carpenter used to get one rupee a day. Now he wants Rs. 2, because he cannot purchase his necessities with less than that. You must give your employees generous treatment so that they may have attachment for you. Mere empty words of praise will not help them. I would not like the Railway Administration to keep these men in a state of discontent. This essential service must be paid for, in a reasonable manner and up to a reasonable amount. These are the suggestions I want to make for the consideration of the Honourable the Railway Member and I trust that the policy we carry out now will be appreciated in future.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Syed Ghulam Bhik Nairang (one of the Panel of Chairmen) in the Chair.

The Honourable Sir Edward Benthall: Sir, I am grateful to the House for the kind reception which they have given to the Railway Budget, a reception which has come from all sides of the House. It is, of course, the lot of one who has been fortunate enough to present a record Budget and I can only hope that, when the time comes for me, or my successor who is performing this function, to present a Budget which is not so satisfactory, the House will take into account that there are factors over which the Railway Board and the Railway Member and the Administrations have no control. I am sure I am speaking the mind of the Railway Board when I say that we appreciate the tributes which have been paid to Sir Leonard Wilson. I was particularly glad too to hear tributes paid to the Financial Commissioner and his officers, people who do not always come into the public eye even at the time of the Railway Budget but who, I can assure you, do an immense amount of most valuable work. It might also be appropriate at this stage to mention also the Member of the Railway Board in charge of staff and his officers. These are people who are

continually dealing with problems of railway staffs and dealing with them in a most sympathetic manner and not in the manner which certain Members of the House have attributed to them. The care of the staff has their constant attention and their constant sympathy.

There is, if I may say so, sometimes a tendency on the part of the House and other critics of the railways to forget the good work of the railwaymen when things are going smoothly. We hear invariably as soon as things go wrong, but we do not always get the tribute which the House has so generously given on this occasion when things go right. Take, for instance, my Honourable friend, Sir Abdul Halim Ghuznavi, and his complaints about the East Indian Railway trains from Calcutta to Delhi. He is apt, I think, to forget that the trains might not be running at all were it not for the willing service of the railwaymen. At the time of the bombing in Calcutta the railwaymen serving the main stations there and the suburban stations were expected without question by the public to stand fast. They did so; but it is very rarely that anybody comes forward to thank the railwaymen for what they do on such occasions. As I mentioned to the House in answer to a question, I was very glad to have a generous measure of thanks paid to the railwaymen serving in and around Calcutta by the Premier of Bengal himself.

Sir, the House has ranged over a very large number of subjects. Some of them are very important subjects and I must confess that I find a little difficulty in trying to get them into order to give a coherent reply. I will, however, attempt to deal with the principal points made by the speakers and those with which I cannot deal will be carefully examined and taken up subsequently.

I will, first of all, deal with Mr. Anthony's points. Mr. Anthony in the time at his disposal endeavoured to squeeze as many points as possible into his speech. He spoke with great speed, with great eloquence and a picturesqueness of language which, I feel, savoured of exaggeration. If the railways were actually run on the principles which Mr. Anthony described in his speech, they would very soon come to a stop. They are not run on those principles at all. Mr. Anthony appealed to me to approach the subjects which he raised with the sympathy which he believed I possessed. I can assure him, and I can assure the House, that it is not only I but it is the Railway Administration as a whole which possesses the sympathy towards the staff for which he asks, and it is not confined merely to words. We endeavour to carry that sympathy into action. I will try to answer Mr. Anthony's point *seriatim* and I am sure the House will forgive me if I do it with rather less speed and rather less eloquence.

The first point that he raised was with regard to a certain classification of workers on the G. I. P. Railway who are called temporary-permanent drivers. He expressed the view that the term was meaningless. I am quite sure that it is not meaningless and that the staff of the G. I. P. Railway fully understand it although, I am afraid, at short notice I am not in a position to expound exactly what it means to the House. Mr. Anthony said that the policy of the Railway in regard to these men was to extract the maximum amount of work at the minimum amount of pay. I can assure the House that that is not the case. I do not, however, think I could profitably go into the case of these men at the moment and will take an opportunity of getting into touch with Mr. Anthony to discuss their case after the sitting.

As regards the South Indian Railway, the complaint that volunteers of the Defence of India Force in the South Indian Railway Corps of Engineers are not receiving Commissions whereas station masters and Loco-drivers on other railways are doing so is, I think, correctly described. I think there are some station masters who have been granted a Commission on the Madras and Southern Mahratta Railway and that it is true to say that the senior station masters on the South Indian Railway have not yet been granted Commission. The position is that the whole of the South Indian Railway is in the Defence of India area. The number of staff which have been enlisted in the South Indian Railway so far as the Defence of India unit is some 18000, whereas the Madras and South-

[Sir Edward Benthall.]

ern Mahratta Railway, only a part of which is in the Defence of India area, has enlisted a larger number of men, namely, 17000. The number of railway servants granted Commission on the South Indian Railway is 175, whereas on the Madras and Southern Mahratta Railway is 174. It will, therefore, seem that the South Indian Railway are organizing their units more slowly, possibly laying great emphasis on the proper organisation than on enrolling every one who offers. I have, however, no information on this point. The question of commissioning the Defence of India Officers in the railway units as well as the question of commissioning particular individuals is one which is settled between the railways themselves and General Headquarters, and is not, generally speaking, a matter over which the Railway Board would like to exercise control, unless there is important questions of principle involved. It should also be remembered that the South Indian Railway is a Company-managed railway.

Then, Mr. Anthony complained that some of the running staff were required to work an unconscionable number of hours, 20 or 22 hours. He also quoted the case of a driver being out for 34 hours at a stretch. This particular driver's case has, I believe, been investigated and I am not certain whether the facts are correct. However, if Mr. Anthony or anybody else brings to the notice of the Administrations such cases, they will be most carefully enquired into. We received from Mr. Anthony at a meeting of the National Defence Council a complaint to this effect that running staff were being worked unduly long hours. We made enquiries of the different railways and we have received some replies, but we have not yet got replies from all railways. Those railways which looked into the case carefully and have replied have informed us that the running staff are not as a whole working extra long hours. The complaint obviously referred to goods train drivers who are likely to be affected by the large increase in traffic. When there is difficulty in moving all the traffic it results in trains moving slow, and, consequently, men being hung up on the line. That, I submit, in times like this is unfortunately unavoidable from time to time. After all the men who are dealing with war conditions will appreciate that it is impossible to work entirely to schedule. But we have examined the statistics and we find that taken over all the speed of the goods trains has not fallen unduly and, therefore, taken over all it does not look as if men have habitually been kept for long hours on railways.

In the case of running staff the Hours of Employment Regulations do not apply. A suggestion has been made that they should be made to apply. That question has been taken up with the Railwaymen's Federation and it has been decided that the regulations should not be brought into operation during the war, but that the whole question should be deferred until the war is over, owing to obvious difficulties which arise on account of the war. But Railways have been instructed to pay particular attention to the point that the hours of work of running staff should be reasonable and they have also been instructed, where necessary, to engage additional running staff to relieve persons who may be over worked and also to build temporary quarters for them where the situation requires it.

As to the suggestion that cases of long hours are not sympathetically treated by the senior staff, I do not think that it could be justified. It is most unlikely to say the least. At a time like this all staff, particularly the senior staff, are doing their best to operate railways at the maximum capacity, and it is particularly unlikely that during these times the attitude of the senior staff would be harsh towards their men, because it is in the interest of senior staff that the men are properly treated. But if it is found not to be so when we look into this question again and if there is an unduly large number of cases of hardship then we will take further steps to put the matter right. I should like at this point to assure my Honourable friend, Mr. Anthony, that it is totally against the policy of the Railway Board and of myself to countenance any suggestion of victimisation of people who register complaints. We do not stand for that. I am quite certain

that that attitude is very well understood throughout the Railways and have no reason to suppose that there does in fact exist any serious victimisation of people who make complaints. I shall be very glad, of course, to have brought to my notice any specific example.

Mr. Anthony mentioned the question of extensions of service. He asked why did we keep on a number of old crocks who had finished their time. It has already been explained in the course of questions that in the case of extensions, each case is most carefully considered on its merits. We do not keep old crocks. One of the conditions of an extension is that the man should be fit to carry out his work, nor do I think is it correct to suggest that the junior staff are very seriously set back by these extensions. We are of course extending a fair number of senior officers, and the reason is clear, we have to carry on the Railways. We are extremely short of officers. We want more. The younger men whom we can take on may have excellent qualifications, but they have not got the experience which we need, and experience at a time like this is most valuable. There are also a large number of officers who have left the Railways to go on active service and their absence does create a number of officiating posts, which the staff who consider themselves held back are in fact enjoying. It is only proper to say how very grateful we are to these senior men, men who have done their time, but who have expressed their willingness to stay on, some of whom, to my certain knowledge, are only too anxious to get away and take their pension and enjoy their rest. We have in many cases pressed them to stay on, because their services are necessary. An older man, who has his heart in the right place and is out to win the war, may be better than a young man, who possibly may be more concerned with seeing how little he can do for his pay. So I should like to express our appreciation to these men who have stayed on and are doing admirable service to help us through the present crisis.

Mr. Anthony also referred to the question of appeals. I do not propose to deal with that today because it is the subject of a Resolution moved yesterday by Mr. Jamnadas Mehta and we shall have an opportunity to discuss that fully when the Resolution is taken up again.

One or two Honourable Members, Khan Bahadur Shahban and Sir Muhammad Yamin Khan referred to the question of Indianisation. In this connection, the House might be interested to know that the Indian element in the superior services has risen from 48.40 per cent. on the State-managed railways to 61.14 per cent. between the years 1934 to 1941, so that it is quite clear from this that as the old corps of European officers are retired, Indianisation is in fact proceeding at a very rapid pace. Sir Muhammad Yamin Khan also suggested that recruitment from England should be stopped. It will interest him to know that in fact recruitment from England has been in abeyance for the last two years.

Mr. Jamnadas Mehta spoke on the subject of rates and fares. He used the phrase that the rates and fares enforced on the railways were a tax on transport and as such they were vicious. He also said that the present rates and fares were a burden on the poor. Well, Sir, I would point out once again that the total average increase in rates on railways made since the beginning of the war amounts only to 6½ per cent. and that is a very small percentage indeed and compares astoundingly well with the percentages of increased charges of other industries. He also indicated I think that the present rates and fares on food were a handicap to the poor agriculturists. Actually, I think it is well known to the House that since the war began, we have not increased the rates on foodstuffs in full wagon loads at all, so that we are actually charging precisely the same rates on foodstuffs as we were before the war. Generally speaking railway transport in India is the cheapest in the world. There may be a possible exception in the case of Japan, but I have not had recent information as to what their rates and fares are! Mr. Jamnadas Mehta also suggested that we should transport foodstuffs free at the present time. Well, I am sure Mr. Jamnadas Mehta, if he were here, would agree that the labourer is worthy of his hire and

[Sir Edward Benthall.]

the railways are equally worthy of their freights. I am not at all convinced that if we were to transport foodstuffs free the benefit would go to the consumer. After all we have seen in the last few weeks a rise in the price of foodstuffs which does not show that the agriculturist who grows food or the dealer who deals in food is disposed at the present time to pass on that food unduly cheap to the consumer. But in comparison with their action, we are carrying that food precisely at the same price as we did before the war. He asked in this respect that we should change our policy. There have, of course, been rises in rates and fares in the past, and this year we are changing the policy. There are no increases in rates and fares this year. As regards transport of food, we are proposing to carry the food at precisely the same rates as before and to make special efforts to give food priority of movement to wherever it is required, and not only to give it priority but to see that while it is in transit it moves as expeditiously as it possibly can over the railways so that no time is lost in transit.

Mr. Chapman-Mortimer said that the tax-payers would be greatly relieved by the fact that there was no increase in rates and fares. He expressed the hope that we have now reached a wartime peak and he added the hope that after the war there might be a revision downwards. Well, I share that hope and indeed it may be very necessary for the Railways to re-impose the cuts in passenger fares and goods freights to meet road competition after the war, but this is a very large question indeed and one concerning which it is obviously impossible, and I am sure he does not expect me, to give any undertaking at the present time. The whole question of road and rail competition, the post-war level of freights and so forth will have to be the subject of most careful consideration. Some of that we hope to be able to carry through in the course of the war but I will remind the House that all railway staff from the Railway Board downwards are extremely busy and it may be difficult to come to any conclusions at all until we get very much closer to the end of the war.

Sir Abdul Halim Ghuznavi made the point that the charges for military traffic were not altered. It seems to me that he is a little out-of-date in this matter. My predecessor, Sir Andrew Clow, so long ago as 1940-41 stated that military traffic would be exempted from the increased charges. I believe I am correct too in saying that neither in 1941 nor in 1942 did my Honourable friend make any reference to this fact and I rather fail to appreciate why he should now accuse us, for it did sound like an accusation, of not disclosing the proper state of affairs. It was perfectly open and I think perfectly well understood to the House, and, after all, these charges for military traffic are to a very large extent indeed merely payments out of one pocket of Government into another.

Sir Abdul Halim Ghuznavi also questioned, the rate at which rolling stock and Branch Lines had been disposed of to the War Department, some of it for shipment abroad. This matter was very carefully gone into at the time. He suggested that the Railways did not make sufficient recoveries on account of rolling stock supplied overseas by railways and that railways made recoveries only on the basis of the original cost on the books. That, in fact, is not correct. The recoveries were made on the basis of the price which prevailed just before the commencement of the war, after making due allowance for the depreciation which had occurred in the assets use on the Railways. This was considered by Government—I think it went before Committees of this House—and it was agreed on as an equitable arrangement between the parties concerned.

The Honourable Member also suggested that it was unreasonable that the Railways should bear 50 per cent. of the cost of militarization in the Defence of India areas. He thought that should be borne entirely by the War Department. This matter was, of course, also carefully discussed at the time when an agreement was reached between the departments concerned, and the Railways have benefited from this arrangement. It is very much the duty and

the interest of the Railways that their staff should stand firm in times of difficulty and the Defence of India Scheme was introduced in order to stiffen the railway services in the danger areas. For that reason, since we have had the benefit of the stiffening and since the railway services have stood firm in times of danger, I personally am well content that the Railways should bear their share of this. The Army, of course, are dependent on the transport service and it is in their interest also that the railwaymen should stand firm and the railways operate, so that between the two it seems to be an equitable arrangement that the expense should be borne fifty-fifty.

Sir Abdul Halim raised a very important point. He read out a telegram from the Indian Mining Federation which dwelt on the short supply of wagons to the collieries. This is a matter which has been giving us a great deal of thought. It always does. About 40 per cent. of the ton mileage of the Railways consists of coal traffic. In 1941-42 it was as high as 46 per cent. In regard to the transport of coal, interest very naturally attaches to the number of wagons of coal loaded per day or over a given period. If there is a reduction in the number and this, I regret to say, has occurred during the current year, it is naturally supposed that there is a shortage of supply. That there has been a shortage of supply in certain directions cannot be denied. A reduction in the number of wagons allowed is liable to cause also a complaint from the smaller collieries such as are represented on the Indian Mining Federation. The distribution of coal if it is to satisfy all interests must give the consumers reasonable quantities and to all collieries a reasonable share of available wagons. In both these respects the appointment of the Controller of Coal Distribution has, I am convinced, been of very great value, and it is the general opinion of the trade that he has rendered admirable service to the country and to the trade since his appointment. He, however, has to work with a number of wagons which railways are able to make available to him. We have in recent months experienced very great difficulties in maintaining at a sufficiently high level the number of wagons supplied daily to the two main coal fields in Bihar and Bengal. I have already referred to some of these difficulties in speaking on another occasion in this House. I will say now, however, that as a result of the great attention which has been paid to this subject by the Member of the Railway Board in charge of Transportation, by the Railway Board generally, and by the Railway Administrations, it does seem that we now have a better chance than we have had for sometimes of providing a better supply of wagons to the coal fields in Bihar and Bengal. One illustration of the sort of which is being done to help the situation is the use of a class of wagons *viz.*, low sided wagons and end-falling trucks, which have never been used for coal in the past. They do not carry as much coal as ordinary wagons but every little helps and that is one of the factors which is going to provide some relief to the situation.

The reasons for the difficulty which we have had in supplying wagons I must not go into at too great length. Of course, when you get behind hand in supply of wagons to the collieries it is very difficult indeed to catch up. Naturally, the rebellion in the autumn slowed up traffic and had its effect on the supply of wagons. Later we were seriously affected by storms and cyclones in Eastern India. Recently, as the House knows, we have had difficulty in the turn-round of wagons in Calcutta. All these factors have thrown back the supply of wagons to the coalfields, and once it gets out of gear it is a very difficult and technical operation to get the supply back to normal. As I said before, however, I do think from what I have seen that there is every hope that in the near future the supply of wagons to the coalfields will be better than it has been for some time.

Mr. Chapman-Mortimer in the course of his speech referred to the hoarding of piece-goods in Indian States in the Kathiawar area. I must confess that this is a new suggestion to us. On the contrary we are dealing at the moment with a different sort of complaint,—accumulations of piece-goods in Ahmedabad

[Sir Edward Benthall.]

awaiting transport. It is possible, in fact I am quite sure, that Mr. Chapman-Mortimer is correct in his facts, and I should like to investigate the matter further. But such hoarding of piece-goods in the States would affect not the broad gauge but the metre gauge railways, and it is on the broad gauge that we are suffering most from shortage of wagons.

Dr. Sir Zia Uddin Ahmad dwelt on various financial questions arising out of the Budget. On the question of apportionment of the surplus between general revenues and railways, Dr. Zia Uddin suggested that the provision in the existing convention of a fixed contribution of one per cent. on the capital charge should be continued as representing a sort of tax by general revenues on the railways as a public utility concern. While the general principle underlying the Honourable Member's suggestion should be admitted, the object, I submit, is achieved in a more correct and equitable manner in the proposals which are now made, rather than under the existing convention. The tax in the existing convention is, we contend, too high.

The Honourable Member suggested that the present system of building up the railway depreciation fund should be abolished and he stated that it was not the practice in other countries to build up such a depreciation fund. I do not know on what authority the Honourable Member spoke, but so far as Government is aware, and I think we have reliable information, depreciation funds are, in fact, built up by railways in the United States, in the United Kingdom, and in the Union of South Africa, if not elsewhere. Though the actual methods adopted differ in the different countries, the general principle of depreciation or renewals funds is more or less the same everywhere. The contribution to the depreciation fund is on the basis of either the original cost or the replacement cost of the asset in question and its estimated life. On certain railways the contribution is made on a certain percentage of the total capital cost of the assets or at a percentage of the railway earnings.

The Honourable Member expressed some wonder as to the basis on which depreciation was calculated and the rough and ready percentage of 1/60th was adopted. The Honourable Member will probably recall that before the adoption of this basis some few years ago (this basis of 1/60th of the capital at charge) the practice was, as on certain foreign railways, to calculate the contribution on the basis of original cost of the assets and their normal lives. The basis of 1/60th was adopted as a rough and ready means because it was found to yield more or less the same figure as the old elaborate method. This change, as all changes relating to depreciation fund and allocation, has received the approval, not only of the Auditor-General, whose opinion the Honourable Member suggested we should take, but also of the Public Accounts Committee and the Standing Finance Committee for Railways. The Honourable Member, I think, was also wrong in stating that the contribution to the depreciation fund, after replacement of the asset, is calculated on the increased cost of replacement. It is calculated only at 1/60th of the original cost which remains on the capital books. Excess of the replacement cost over the original cost is debited now, since 1936, to the depreciation fund and not to capital. It should also be added that against this extra burden on the depreciation fund, the fund obtains relief in the form of credits on account of released materials.

Several Members spoke on the subject of dearness allowance, Mr. Jamnadas Mehta and Sir Muhammad Yamin Khan in particular. I agree, of course, with their general point, that railway men should be adequately compensated. I took the opportunity of my Budget speech to pay a frank tribute to the railwaymen for what they have done. Equally frankly, I acknowledged our obligation to them and I also frankly mentioned some of the difficulties. Sir Muhammad Yamin Khan suggested among other things that the limit of Rs. 120 on which the dearness allowance was given was too low: he suggested, I think, that there should be a minimum limit of 200 rupees. In the Railway Department we are conscious of the hardships which are being suffered by the staff, all of them, whether they receive dearness allowance or not; and I

mentioned in my Budget speech that if that policy, which we hope to carry out, and carry out vigorously, is adopted, the cheap food that we are able to provide will at least go some way to help the class of people who are at present not included in the dearness allowance arrangements. But, of course, when we have to consider the question of dearness allowance for railway staff as a Government we cannot consider it in isolation. It is not merely a question of the Railway Board negotiating with the Railway Federation what dearness allowance or what cheap food arrangements should be made, because Railways are a Government Department, and what is settled for the railways affects all other Government Departments. Consultation has to take place between every Government Department and also with the Provinces who are much affected by any decision we may make in respect of railway servants. As the House knows,—it has been ventilated recently on the floor of the House—there has been a recent settlement in regard to other Government servants, and naturally that complicates any question of dearness allowance for the railwaymen. It is not only the Government servants who are affected by any decision which may be taken in respect of railwaymen, because the dearness allowances which are paid by Government also affect all industrial employers in the country, but I would say this, that I think the Railway Board have a very clear conscience in the matter: they have taken the lead, they have shown their bona fides and their willingness to give a substantial dearness allowance and in addition to that they have been selling grain at cheap prices to their staff; and that, I think, does really bring us again to the crux of the situation.

Mr. Jamnadas Mehta said that what we have to do is to see that the railwaymen get food and that their children get clothes. That is precisely our policy. It is our policy to see that the railwaymen get food and the other necessities of life at cheap prices as quick as ever we can give it to them. There are, of course, two schools of thought in this matter even outside among industrialists. Some of them, whose opinion was voiced by the Honourable Mr. Parker in the other House, favour the cheap food policy, others favour automatic increases based on the cost of living indices, however unreliable they may be, and the latter category as a rule also favours paying its men substantial bonuses which are in fact paid out mainly at Government expense on account of excess profits tax. But I am convinced that it is in the best interests of the men and of the country that what we should try to do is to stabilise the cost of living of the worker, not only in the railways, but also in other industries; and the House will have noted—and noted, I am sure, with care—that we have made provision in the Budget for increased relief to railwaymen.

The cost of the dearness allowance which was authorised last August amounts to some 5 crores per annum; in the ensuing year we are providing an additional 3 crores in pursuance of our cheap food policy. This is a policy which we are going to pursue vigorously and with the assistance of the Railwaymen's Federation, I hope for rapid action in the near future.

Lastly, I would say just a few words on the question of the division of the surplus. Mr. Chapman-Mortimer pointed out how relatively strong the railway Budget now is. I think it is perhaps worth while just emphasising that. Between 1939-40 and 1942-43, we have cleared off the arrears of contribution of 35.71 crores; we have repaid loans from the depreciation fund of 30.29 crores, and we hope to build up the depreciation fund to 84 crores by the end of next year and to have a general reserve of 9 crores; and, if the House agrees to our proposal, we hope to relieve ourselves of a liability to pay some 7½ crores per annum on account of the 1 per cent. extra liability. All these points were taken carefully into consideration in arriving at the allocation to railway revenues and general revenues and, as I said in my Budget speech, I am satisfied that the settlement that we have proposed does give the railways a reasonable chance of ending this war on a sound financial footing, in contrast with the position in which the railways ended at the end of the last war.

[Sir Edward Benthall.]

Dr. Sir Zia Uddin Ahmad, I think, suggested that we should be very generous in our contribution to general revenues; he said that we paid no income-tax; in fact he went so far as to say that we were evading income tax. In the United Kingdom people who evade their income-tax sometimes get a conscience, and you will sometimes see in the papers that Mr. X (they never give the name) sent so much conscience money to the Treasury. I am quite clear in my conscience that we are making a very adequate contribution to general revenues. I do not feel that, even with the provision that we have made for the future stability of the railway Budget, we should be justified in making any more contribution to general revenues, and I would like to stress again what I said in my Budget speech, that I feel that we should at all

4 P.M. times endeavour to set aside not less than eight crores of rupees per annum, over and above the allocation to depreciation, to the railway reserve fund, to build up that fund to meet the inevitably hard times which are coming before us in the period after the war.

But I think, listening carefully to the speakers, that the House is in general agreement with the proposals which Government have made. I think I can correctly sum up the view of the Muslim League speakers by saying that they favour ample contributions to general revenues while taking good care of the railway reserves. Whether those reserves should be in the form of a depreciation reserve or a general reserve is a technical question on which Dr. Sir Zia Uddin Ahmad reserves his decision. Mr. Chapman-Mortimer on behalf of the Europeans was good enough to say that we had reached a judicious balance in our proposed allotments.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

The Honourable Sir Edward Benthall: Sir, May I have one minute?

Mr. Chairman (Syed Ghulam Bhik Nairang): Yes.

The Honourable Sir Edward Benthall: He said that we should set aside eight crores for the railway reserves, that we should make a generous contribution to the general revenues, that we should lower rates and fares and that we should accumulate large reserves to be spent in order to mitigate a slump in the heavy industries after the war. The Honourable Member is putting a very heavy burden on us and I would remind him and the House what I said at the end of my Budget speech, that the figures on which we are now budgeting are illusory. We are budgeting on an unprecedented boom; and we are perhaps a little apt to think that this boom will go on for ever. We have tried to adopt a balanced view in arriving at our figures and I hope that they are in accord with, to use Dr. Sir Zia Uddin Ahmad's words, "*le common sense des Anglais*".

(At this stage, Mr. Muhammad Nauman rose in his place.)

Mr. Chairman (Syed Ghulam Bhik Nairang): The debate has come to an end with the speech of the Honourable the Railway Member. The House is adjourned till 11 A.M. on the 22nd instant.

Maulvi Muhammad Abdul Ghani: I want to make some submission to the Chair.

Mr. Chairman (Syed Ghulam Bhik Nairang): The debate has ended and there is nothing else to be done. The House stands adjourned till 11 A.M. on Monday, the 22nd instant.

The Assembly then adjourned till Eleven of the Clock on Monday, the 22nd February, 1943.

LEGISLATIVE ASSEMBLY

Monday, 22nd February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Mr. John Dawson Tyson, M.L.A. (Secretary, Department of Education, Health and Lands).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

MARTIAL LAW AND CONTROL OF HUR MENACE IN SIND.

155. *Mr. Lalchand Navalrai: (a) Will the War Secretary be pleased to state when Martial Law now in force in parts of Sind will be rescinded?

(b) Has Martial Law in Sind brought under control the Hur menace and the activities of the followers of Pir Pagaro? If so, how far?

(c) What is the approximate number of Hurs in Sind? How many of them have been arrested and brought to book and how many have been killed, hanged or sentenced to long terms of imprisonment?

(d) How many Hurs approximately are supposed to be in hiding in Sind and in the adjoining Indian States, separately, and what steps have the Martial Law authorities taken to secure them?

(e) How many Hurs have been found in the area on the right bank of the river Indus within 5 miles from the railway line to which Martial Law had been subsequently extended, and how were they dealt with?

(f) Is there any further necessity for continuing Martial Law in the afore-said area on the right bank of the river? If so, for how long?

Mr. O. M. Trivedi: (a) and (f). Martial Law will be abrogated in the parts of Sind where it is now in force as soon as the situation permits.

(b) The imposition of Martial Law has made possible very considerable progress in curbing the activities of the Hurs.

(c) The term "Hur" is strictly speaking only applicable to those among the followers of the Pir Pagaro who belong to the "Farqi Jamait" and they are believed to number about 80,000 men and as many women. In addition, a considerable number of those belonging to the second group of the Pir's followers namely the "Salim Jamait" have also been involved in these disturbances. "Salim Jamait" is believed to include between 150,000 and 200,000 men not counting women. About 4,000 persons have been arrested under either the Defence of India Rules or the Hur Act but not all these are Hurs. In addition about 70 women have been called on to give security under the Hur Act and about 2,500 are confined in settlement for Hur women near Sanghar. 81 persons are known to have been killed in addition to 79 hanged. 924 persons have been sentenced to imprisonment for more than one year.

(d) It is not possible to ascertain the number of Hurs hiding in Sind or in the adjoining States. Operations are being undertaken for the rounding up of active followers of the Pir both in Sind and the States.

(e) So far 24 Hurs have been captured west of the Indus since last August. Heavy floods have hampered operations in this direction, for which the area is only now becoming fit. These 24 persons are about to be brought before military courts.

Mr. Lalchand Navalrai: May I know when the situation is likely to be eased so that Martial Law may be withdrawn? I want an approximate time.

Mr. O. M. Trivedi: It is not possible for me to give an approximate idea of the time.

Mr. Lalchand Navalrai: Will it be six years, or five years or six months?

Mr. O. M. Trivedi: I have nothing to add to what I have said.

Qazi Muhammad Ahmad Kazmi: Will the Honourable Member inform the House how Government are in a position to identify the Hurs? Is it or is it not

a fact that a large number of peaceful citizens are being prosecuted under Martial Law in the name of Hurs?

Mr. O. M. Trivedi: It is not a fact that a large number of peaceful citizens have been prosecuted in the name of Hurs.

Mr. Lalchand Navalrai: The Honourable Member said that when the situation has eased with regard to Hurs, Martial Law will be withdrawn. May I ask why in the meantime Martial Law should not be withdrawn with respect to offences under the Defence of India Act which are against civil population?

Mr. O. M. Trivedi: I do not see how it arises out of this question.

Sardar Sant Singh: May I know how long Martial Law has been in force?

Mr. O. M. Trivedi: Since 1st June, 1942.

Sardar Sant Singh: Is there any precedent where Martial Law has been kept in force for such a long time?

Mr. O. M. Trivedi: I do not know, Sir.

Sardar Sant Singh: Do the Government consider that administration by Martial Law is very odious to the people generally?

Mr. O. M. Trivedi: That is a matter of opinion.

Sardar Sant Singh: What is the opinion of the Government in this matter?

Mr. President (The Honourable Sir Abdur Rahim), Order order.

Qazi Muhammad Ahmad Kazmi: Will the Honourable Member let us know whether it is a fact that persons are being prosecuted without doing any act against public safety, but only on account of being named "Hurs"?

Mr. O. M. Trivedi: I have no information.

Mr. Lalchand Navalrai: Does the Honourable Member know that the Sind Government have now installed a constabulary for the areas in which there are Hurs and will the Martial Law be withdrawn when that constabulary is formed?

Mr. O. M. Trivedi: I know that the Sind Government are making efforts to enroll a constabulary. I have said that Martial Law will be withdrawn as soon as the situation permits.

Mr. Lalchand Navalrai: May I know if the Sind Government has been consulted with regard to the continuance of Martial Law?

Mr. O. M. Trivedi: I am not in a position to answer that question.

Seth Yusuf Abdooli Haroon: Is the Honourable Member aware that some title holders are proceeded against simply because they are relations of some Hurs who are followers of Pir Pagaro?

Mr. O. M. Trivedi: I am not aware of that.

Mr. Lalchand Navalrai: Will the Honourable Member enquire from the Sind Government whether they still want Martial Law to continue or whether they will make their own arrangements?

Mr. O. M. Trivedi: We are in consultation with the Sind Government, and all necessary steps will be taken.

Qazi Muhammad Ahmad Kazmi: In view of the fact that the Honourable Member has not been able to give specific replies to many of the supplementary questions put just now, will he be prepared to make enquiries as to the correctness or otherwise of the allegations made by Honourable Members of this House?

Mr. O. M. Trivedi: If specific allegations are made, I will certainly have enquiries made.

Mr. Lalchand Navalrai: With respect to questions to which answers have not been given or to which vague answers have been given, will the Honourable Member make enquiries from the Martial Law authorities and find out the answers and then place them on the table of the House or give them in the House orally.

Mr. O. M. Trivedi: If the Honourable Member or other Honourable Members put down specific questions, I would certainly undertake to give answers.

CONCESSIONS FOR SALT COLLECTION ON MADRAS COAST.

156. **Mr. Lalchand Navalrai:** (a) Will the Honourable the Finance Member be pleased to state if salt concessions under the Irwin-Gandhi Pact for the

poor people on the sea coasts are in force at present? If so, on what coasts and to what extent and during which periods of the year?

(b) Is it a fact that the people on the coast of Madras made applications to the Collector of Salt Revenue and Customs to increase the existing concessions for salt and to permit them to collect the salt naturally formed on the pools on the coast for several reasons? If so, what further reliefs other than those already existing have been given to those poor people? If none, why?

(c) Do Government propose to revise the concessions on more liberal scales and afford sufficient facilities to the poor people to take sufficient advantage of them in these difficult times? If not, why not?

The Honourable Sir Jeremy Raisman: (a) Yes. Local residents in all villages immediately adjoining areas where salt can be collected or made, are allowed to collect or make salt for domestic consumption or sale within the villages. A quota is fixed for each village based on the population and the average consumption. Different times for manufacture or collection are fixed for the different districts according to the period of the year at which manufacture is possible or salt is available. I may add for the Honourable Member's information that the concession is not restricted to the sea coast only but is allowed wherever natural facilities for the collection of spontaneous salt and earth salt are available.

(b) Yes. Applications have been received from the inhabitants of certain villages and relief has been given in all cases in which the circumstances justified it. Relief was granted by extension of the period for collection and of the area in which advantage may be taken of the concession.

(c) Government consider that the scale on which these concessions are admissible is liberal enough and that sufficient facilities for taking advantage of these concessions are available to the poor.

Mr. Lalchand Navalrai: With regard to part (b) of the question, may I know from the Honourable Member whether replies stating reasons for refusal to give further concessions have been given to those persons who made applications for concessions?

The Honourable Sir Jeremy Raisman: Relief has been given in all cases in which the circumstances justified it.

* **Mr. Lalchand Navalrai:** I am asking whether reasons for not accepting...

The Honourable Sir Jeremy Raisman: I am not prepared to enter into individual discussion with individual applicants.

Mr. Muhammad Azhar Ali: Does the Honourable Member mean that this order of Government to make salt applies to the whole of India in all the villages?

The Honourable Sir Jeremy Raisman: The Pact contemplates that inhabitants of villages adjoining salt areas will be permitted to make or collect salt for domestic use and sale in their respective villages.

PERMISSION TO ENGLISHMEN FOR CORRESPONDENCE WITH DETAINED INDIAN LEADERS.

157. ***Mr. Govind V. Deshmukh:** Will the Honourable the Home Member please state if permission was asked for by private persons or members of Parliament in England to correspond with Indian leaders now detained or by Indian leaders to correspond with members of Parliament? If so, was such permission granted? If not, what were the reasons?

The Honourable Sir Sultan Ahmed: The answer to the first part of the question is in the negative. The other parts do not arise.

CONVERSION OF RESIDENTIAL HOUSES INTO BROTHELS FOR SOLDIER'S IN CALCUTTA.

158. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable the Defence Member be pleased to state if he is aware of the fact that residential houses in Calcutta near about Chowringhee have been transformed into brothels for soldiers in Calcutta by evicting residents with their families from these houses? If not, will he be pleased to read the observations relating to this matter as published in the Modern Review of January, 1948?

(b) Did the residents voluntarily vacate their residential houses with a view to support the war efforts? If not, how have they been evicted? Was it by legal process or by Ordinances under the Defence of India Rules?

(c) How many houses in London, or in any other town of the United Kingdom have been transformed into brothels for soldiers in the United Kingdom during the war period? If no such houses have been requisitioned in the United Kingdom, why were they needed in India? Have such houses been requisitioned in Bombay, Madras and Patna? If not, why has this been done in Calcutta?

Mr. O. M. Trivedi: (a) and (b). I would refer the Honourable Member to the reply given by me in this House to Mr. K. C. Neogy's starred question No. 59 on the 12th February, 1948.

(c) I have no information regarding the first part. As regards the remaining parts, no houses have been requisitioned in Calcutta or elsewhere.

Mr. N. M. Joshi: May I ask, Sir, whether the Honourable Member has seen the statement made by the Mayor of Calcutta and the Metropolitan of India repudiating the statement made by Government and saying that the statement made by Government was inaccurate?

Mr. O. M. Trivedi: I have seen the statement.

Mr. N. M. Joshi: May I ask, Sir, whether the Government of India will issue another statement dealing with the Metropolitan's statement?

Mr. O. M. Trivedi: The reply given by me in the Assembly on the 12th February, 1948 was based on the report of the Provincial Government. In fact the reply to part (b) of Mr. Neogy's question quoted the Bengal Government's report word for word. After seeing the Metropolitan's statement I have asked the Bengal Government for further comments, but these have not been received as yet.

Mr. N. M. Joshi: May I ask whether the Government of India will consider the suggestion made by the Metropolitan that all brothel areas should be out of bounds for soldiers?

Mr. O. M. Trivedi: Brothels in Calcutta have all along been out of bounds to troops and an old order to that effect was re-affirmed as recently as 13th June, 1942.

Sardar Sant Singh: May I know if the Honourable Member will place a modified reply after consulting the Provincial Government on the table of the House?

Mr. O. M. Trivedi: I think the Honourable Member is assuming a lot of things in his question to me.

Mr. Lalchand Navalrai: With regard to part (c) of the reply, may I know from the Honourable Member what he means by "I have no information"? Has the Honourable Member made enquiries from London to get that information, or without making any enquiries he says "I have no information"?

Mr. O. M. Trivedi: I have made no enquiries from London.

Mr. Lalchand Navalrai: Then how does the Honourable Member say "I have no information"?

Mr. O. M. Trivedi: I have no information.

Sardar Sant Singh: May I know if the Honourable Member will be prepared to issue a statement when he receives a reply from the Bengal Government in answer to the statement issued by the Metropolitan of India and say whether it confirms the previous statement or modifies it in any way?

Mr. O. M. Trivedi: I will consider this suggestion.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

Mr. Lalchand Navalrai: Sir, I rise on a point of order. In reply to many questions the Honourable Member has been saying he has no information. If the Honourable Member says he is not prepared to give answer for certain reasons it is a different thing, but to say he has no information is very vague, and I think the Honourable Member

Mr. President (The Honourable Sir Abdur Rahim): It is not a point of order at all. Order, order. Next question.

INDIAN ARMY CORPS OF CLERKS AT THE GENERAL HEADQUARTERS.

159. ***Syed Ghulam Bhik Nairang:** Will the War Secretary please state:

- (a) the permanent strength of the British and Indian personnel in the Indian Army Corps of Clerks at the General Headquarters, separately;
- (b) the highest rank appointment and maximum emoluments to which the British and Indian clerks of this Corps at the General Headquarters have attained, separately;
- (c) the total actual expenditure incurred by Government in January, 1943, on account of pay and allowances (including compensatory allowances) on:
 - (i) the permanent British personnel (all ranks) of the Indian Army Corps of Clerks at the General Headquarters; and
 - (ii) the permanent Indian personnel (all grades) of the Indian Army Corps of Clerks at the General Headquarters;
- (d) the average incidence of expenditure per head on account of the permanent British and Indian personnel, separately, of the Indian Army Corps of Clerks at the General Headquarters;
- (e) the starting salary of an Indian clerk of the Indian Army Corps of Clerks at the General Headquarters (including allowances, if any);
- (f) the monthly rate of the following allowances admissible to British clerks of the Indian Army Corps of Clerks:
 - (i) Ration Allowance;
 - (ii) house-rent in lieu of free quarters and connected amenities for married and unmarried personnel;
 - (iii) Marriage Allowance; and
 - (iv) Children's Allowance per child;
- (g) the starting pay of a British clerk of the Indian Army Corps of Clerks including allowances other than those mentioned in (f) above;
- (h) the excess of the allowances in (f) above as for a married British clerk with one child over the gross starting emoluments of an Indian clerk; and
- (j) The difference and ratio between the gross starting emoluments of a married British and an Indian clerk of the Indian Army Corps of Clerks having one child?

Mr. C. M. Trivedi: I lay on the Table a statement giving the information required by the Honourable Member.

Statement.

- | | |
|--|---|
| <p>(a) B. O. Rs.—46;
Indian—122.</p> <p>(b) British.—Highest rank—Captain.
Appointment—Officer Supervisor.
Emoluments—Rs. 325.
Indian—Upper Division Clerk,
Selection Grade—Rs. 300.</p> <p>(c) (i) Rs. 21,013.
(ii) Rs. 19,230.</p> <p>(d) British—Rs. 457.
Indian—Rs. 157.</p> | <p>(e) Rs. 69 (including Rs. 9, dearness allowance).</p> <p>(f) (i) Rs. 45 per mensem.
(ii) Rs. 80 per mensem (Married).
Rs. 40 per mensem (Unmarried).
(iii) Rs. 30 per mensem.
(iv) Rs. 28 for one child.
Rs. 53 for two children.
Rs. 78-8-0 for three children.
Rs. 22-8-0 for every additional child</p> |
|--|---|

(g) Under peace conditions a consolidated pay of Rs. 190 p. m. for the first year. This consolidated pay includes the allowances under (f) above other than marriage and children's allowance.

After one year, if confirmed in his appointment his pay is Rs. 221-10-0 p. m. plus such allowances as are admissible under (f) above.

(h) Rs. 114.

(i) Rs. 179, but preference was given to single man and there is not one instance where a married man was appointed on probation.

7 : 2 approximately.

Sir Muhammad Yamin Khan: Will the Honourable Member read it out so that we may put supplementary questions?

Mr. O. M. Trivedi: It is a long statement.

Dr. P. N. Banerjee: But a gist of the statement may be given.

Mr. O. M. Trivedi: There are 24 sets of figures, but I am prepared to read it if the Honourable Member wants me to.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member wants it, it can be read out.

Syed Ghulam Bhik Nairang: Yes, Sir. It should be read out. :

(Mr. O. M. Trivedi then read out the statement.)

Syed Ghulam Bhik Nairang: May I know with reference to his answer to part (b), is it a fact that there is a Major with only seven years service getting Rs. 1,300? It is not included in the reply.

Mr. O. M. Trivedi: I have said the highest rank is Captain.

Syed Ghulam Bhik Nairang: Not a Major?

Mr. O. M. Trivedi: No, Sir. That is not my information.

Syed Ghulam Bhik Nairang: Is it a fact that another gentleman is now a Colonel getting Rs. 1,600 after only seven years' service?

Mr. O. M. Trivedi: No, Sir.

Sir Muhammad Yamin Khan: With regard to part (f), may I know whether the allowances which the Honourable Member has said are given to the British personnel, are also admissible to the Indian clerks?

Mr. O. M. Trivedi: No, Sir. Those allowances are not admissible to Indian clerks.

Sir Muhammad Yamin Khan: Why?

Mr. O. M. Trivedi: The two wings of the J.A.C.C. are quite different. The B.O.R. gets his allowances according to what he would have got in the Army. He retains his military rank.

Sir Muhammad Yamin Khan: These rules are made by whom?

Mr. O. M. Trivedi: The Regulations are made by His Majesty's Government.

Sir Muhammad Yamin Khan: I am asking why has not the Government of India made the same rules in respect of Indian clerks?

Mr. O. M. Trivedi: The two cadres are quite different. The rates of pay for B.O.R. are governed by considerations different from those on which the rates of pay for civilian clerks are based.

Sir Muhammad Yamin Khan: May I know if the rates of pay given to the Indian and European clerks in the Defence Department are the same, or do they differ?

Mr. O. M. Trivedi: The rates are different. I have already said that the B.O.R. are drawn from the Army and they get the Army rates of pay.

Sir Muhammad Yamin Khan: My enquiry refers to civilian typists and clerks—not the British Officers—recruited in India. Do these European and Indian typists and clerks get the same starting salary as well as the same maximum pay, or is there any difference in pay between these two sets of clerks doing the same job?

Mr. O. M. Trivedi: I should like to have notice of that question.

Sir Muhammad Yamin Khan: This question is given here.

Mr. O. M. Trivedi: This question relates to the Indian Army Corps of Clerks.

Sir Muhammad Yamin Khan: But this also includes the question regarding the maximum emoluments to which the British and Indian clerks are entitled.

Mr. O. M. Trivedi: Sir, the information I have given relates to the B.O.Rs. in the Indian Corps of Clerks, and the British wing of the Corps of Clerks consists only of B.O.Rs.

Sir Muhammad Yamin Khan: But here it is given about the Indian clerks. I do appeal to the Honourable Member.

Mr. O. M. Trivedi: Question (b), in the Indian Army Corps of Clerks?

Sir Muhammad Yamin Khan: Yes, it is so.

Mr. C. M. Trivedi: Yes, Indian personnel.

Sir Muhammad Yamin Khan: In that respect the Honourable Member ought to have gathered all the information.

Mr. C. M. Trivedi: I have collected all the information and given

Sir Muhammad Yamin Khan: I am asking this: whether an Indian in the same service, doing the same work, and the civilian British girls and men who are recruited here, get the same salary, or they get different salaries for doing the same work.

Mr. C. M. Trivedi: The question relates to the Indian Corps of Clerks and I have given the information. The British Wing consists of B.O.Rs.

Mr. Lalchand Navalrai: May I know from the Honourable Member if before the war there were these British clerks in the Army as clerks?

Mr. C. M. Trivedi: Yes, Sir.

Mr. Lalchand Navalrai: Any difference with regard to Indian and British pay?

Mr. C. M. Trivedi: Yes, Sir.

Mr. Govind V. Deshmukh: With respect to (b), may I know on what grounds these different emoluments are justified? May I know what the answer is?

Mr. C. M. Trivedi: The answer I gave referred to the pay of B.O.Rs. in the Corps of Clerks. Their conditions differ.

Sardar Sant Singh: In view of the enormous difference in the emoluments between these two grades, does the Government propose to reduce the British element in order to effect economy in these days of stringency?

Mr. C. M. Trivedi: The proportion of B. O. Rs. in the Corps is only 25.

Sardar Sant Singh: I say that in view of this enormous difference, and in view of the need for economy in war time, will the Government consider the necessity of reducing the British element and making it entirely Indian?

Mr. C. M. Trivedi: I want notice of that question.

Maulana Zafar Ali Khan: I should like to know whether it has been taken for granted that the Indian is always less efficient as compared with the Britisher.

Mr. C. M. Trivedi: No, Sir.

Mr. N. M. Joshi: What is the object of employing B.O.Rs. as clerks when there is so much dearth of man-power for the defence of the country?

Mr. C. M. Trivedi: I should be replying to that part of the question later on. There is another question about this to-day.

INDIAN ARMY CORPS OF CLERKS AT THE GENERAL HEADQUARTERS.

160. ***Syed Ghulam Bhik Nairang:** Will the War Secretary please state if it is a fact that:

- (a) the British clerks of the Indian Army Corps of Clerks are selected from amongst soldiers of the British Army who show aptitude for clerical work and the Indian clerks of this Corps at the General Headquarters are recruited through an all-India competitive examination held by the Federal Public Service Commission;
- (b) the Indian clerks of this Corps have to pass a departmental examination before they are considered eligible for promotion to the upper grade, which they get only when there are vacancies, and that they are required to produce three consecutive good reports for becoming eligible for the said examination;
- (c) the British clerks of this Corps are not required to sit at any examination for promotion, which they get on completion of specified years of service without any condition as regards the existence of a vacancy, etc.;
- (d) all service limits referred to in (c) above for promotion of the British clerks have been suspended for the duration of the war;
- (e) the Indian clerks of the Indian Army Corps of Clerks at the General Headquarters are not eligible for an Emergency Commission; and

- (f) the British clerks of this Corps are not only eligible for a commission within the Corps but are also eligible for an Emergency Commission in other corps of the Army?

O. M. Trivedi: (a) In so far as appointments in the permanent cadre are concerned, yes.

(b) Formerly this was so. Under war conditions they pass the G. H. Q. Trade Testing School examination but are not required to produce three consecutive good reports.

(c) They are not required to pass any promotion examination but promotion is not automatic under the time-scale. It depends on a man being recommended and fit in all respects and there being a vacancy in the authorized establishment

(d) Not in so far as substantive rank is concerned.

(e) The Honourable Member presumably refers to commissions in the I.A.C.C. If so, there are no commissioned posts in the Indian Wing of the I.A.C.C. Those clerks employed at G.H.Q are however eligible for the gazetted posts of Officer Supervisors.

(f) No. They are normally deemed eligible only for commissions in their own corps.

Syed Ghulam Bhik Nairang: With reference to the reply to (c), is it not a fact that a new entrant, a Britisher, after three years automatically becomes Staff Sergeant? Automatically! Merely by lapse of three years!

Mr. O. M. Trivedi: No, Sir.

Sardar Sant Singh: Will the Government please state the reasons why the British personnel have not been withdrawn from civil employment in view of the war conditions prevailing in the country and sent to the front?

Mr. O. M. Trivedi: I think, Sir, in another question I am answering later on, I will be covering the same ground.

Mr. Lalchand Navalrai: With regard to (a), may I know from the Honourable Member if these soldiers who are now working as clerks are disabled and therefore unfit for field service, or are they being given a rest as clerks?

Mr. O. M. Trivedi: I would not say that they are, unfit for the front.

Mr. Lalchand Navalrai: Why are they put on clerk's business when they are fitted for soldier's business?

Mr. O. M. Trivedi: The nature of the work in General Headquarters requires clerks with military and clerical experience.

Mr. Govind V. Deshmukh: Is there a great paucity of Indian clerks in the Army?

Mr. O. M. Trivedi: Yes, Sir.

Mr. Govind V. Deshmukh: Is not this also a sort of racial discrimination which will come in the way of recruitment?

Mr. O. M. Trivedi: I am not sure of this.

Sir Muhammad Yamin Khan: Does the Defence Department recruit these people as clerks or does the Army Department recruit them?

Mr. O. M. Trivedi: I have not been able to follow that.

Sir Muhammad Yamin Khan: Does the recruitment to the clerical jobs in General Headquarters lie in the hands of the Defence Department, which my Honourable friend represents, or does it lie in the hands of the Army people? Who is responsible for these appointments?

Mr. O. M. Trivedi: General Headquarters are responsible for these appointments.

Sir Muhammad Yamin Khan: What does he mean by General Headquarters? Not the Defence Department?

Mr. O. M. Trivedi: No, not the Defence Department.

Mr. Lalchand Navalrai: May I know from the Honourable Member if there are several soldiers, some of them officers also, enjoying their rest in Western Court and passing their time? Why are they not being sent to the front? Are they not necessarily required there?

Mr. President (The Honourable Sir Abdur Rahim): Next question. That does not arise.

INDIAN ARMY CORPS OF CLERKS AT THE GENERAL HEADQUARTERS.

161. *Syed Ghulam Bhik Nairang: (a) Will the War Secretary please state how many British clerks of the Indian Army Corps of Clerks are holding officers appointments in the General Headquarters and what is their ratio to the total permanent establishment of the British clerks of this Corps?

(b) How many Indian clerks of the Indian Army Corps of Clerks are holding officers appointments at the General Headquarters and what is their ratio to the total permanent establishment of the Indian clerks of this Corps at the General Headquarters?

(c) How many temporary British clerks who have been admitted into the Indian Army Corps of Clerks in connection with the war are holding charge of Sections at the General Headquarters?

(d) How many permanent Indian clerks of the Indian Army Corps of Clerks are not holding charge of Sections at the General Headquarters?

(e) Were any of the Indian clerks referred to in (d) above given trial for appointments held by the British clerks mentioned in (c) above? If not, why were they superseded?

(f) Is it a fact that a British clerk of the Indian Army Corps of Clerks on holding charge of a Section is immediately promoted to warrant rank irrespective of the length of service or whether he is permanent or temporary, while an Indian clerk gets only Rs. 50 extra for holding charge of a Section?

(g) Is it a fact that a superintendent's scale is under consideration for the Indian clerks of the Indian Army Corps of Clerks?

(h) If the answer to (g) be in the affirmative, will that scale apply to all Indian clerks holding charge of Sections just as the British clerks get promotion to warrant ranks when holding charge of a Section? If not, why not?

Mr. O. M. Trivedi: (a) 15. 1:3 approximately.

(b) Nil, because they have not yet sufficient seniority to come into the selection zone. It may, however, interest the Honourable Member to know that out of a total of 106 Officer Supervisor (gazetted) appointments 52 are filled by Indians.

(c) 31.

(d) 97.

(e) No. As they are not on a common roster the question of supersession does not arise. Again, it may interest the Honourable Member to know that of a total of 271 Superintendents and Assistant-in-Charge appointments 172 are held by Indians.

(f) Yes. This is because the position of a B. O. R. at General Headquarters is directly related to the position which he would hold in any other military formation in India whereas the position of the Indian clerk is regulated by the charge pay fixed for a civilian placed in charge of a section.

(g) and (h). Both these questions are under consideration. I might add that a decision will be reached shortly.

Syed Ghulam Bhik Nairang: With reference to his reply to (b), may I know whether these Indian members of the Indian Army Corps of Clerks have all the liabilities attached to military employment without any of the privileges enjoyed by the British members of the same service? Is it not a fact that they have all the liabilities minus all the privileges.

Mr. O. M. Trivedi: They have the liability to serve overseas as far as I know.

Sir Ghulam Bhik Nairang: Is there any liability to the British member of the same Army Corps which does not attach to an Indian member of the Army Corps?

Mr. O. M. Trivedi: I have not been able to get the Honourable Member.

Syed Ghulam Bhik Nairang: I want to know whether there are any greater responsibilities and liabilities attached to a British Member of the

Indian Army Corps of Clerks than to an Indian member, so as to justify larger emoluments and greater chances of promotion?

Mr. O. M. Trivedi: The Indian clerk gets several allowances when he goes overseas.

Sir Muhammad Yamin Khan: The question is whether in India the British clerks, who get larger benefits and larger salaries and larger allowances, have also got larger responsibilities than the Indian clerks or not?

Mr. O. M. Trivedi: As I have explained, the pay of the British clerks in this Corps is really determined by the pay they are eligible to draw if they had been in the army.

Sir Muhammad Yamin Khan: Is the Honourable Member aware of these things or not himself? Or is he replying on behalf of the War Department to which he has no access? Who represents the War Department.

Mr. O. M. Trivedi: I do; and I am giving this information on behalf of that Department.

Sir Muhammad Yamin Khan: If that is so, then the question is very plain: what is the justification for giving different salaries for the same work to an Indian and to a Britisher? We want to know why is this differentiation made by the Government of India?

Mr. O. M. Trivedi: I thought I had already answered that when I said that the pay of the B. O. R. in this Corps is governed by the pay which the B. O. R. would have received had they been in the army and they are recruited from amongst the army. They are drafted from the army and they get the same pay had they been in the army.

Sir Muhammad Yamin Khan: Does the Honourable Member justify this very excessive expenditure during the war when he knows it is difficult to make the two ends meet financially?

(No answer was given.)

MEMORIALS BY INDIAN CLERKS OF THE GENERAL HEADQUARTERS.

162. *Syed Ghulam Bhik Nairang: Will the War Secretary please state if it is a fact that a large number of memorials and representations have been submitted recently by the Indian clerks of the General Headquarters asking for the amelioration of their condition? If so, what action has been taken on those memorials?

Mr. O. M. Trivedi: The answer to the first part is in the affirmative.

As regards the second part, the memorials were considered by the Government of India and the rate of dearness allowance was increased. I may add that Home Department are initiating arrangements designed to secure supplies of basic commodities at reasonable prices for all Secretariat civil personnel including the staff of General Headquarters.

Syed Ghulam Bhik Nairang: Will the Honourable Member state whether the representations made are confined only to the supply of these necessities or whether they seek to get the entire scheme, embracing their emoluments and promotion and all that, to be reconsidered?

Mr. O. M. Trivedi: I think the representations asked for increase of pay also.

Syed Ghulam Bhik Nairang: How long does the Honourable Member expect that matter to remain hanging fire? Is it going to be speedily decided or merely kept on with the consoling assurance that has been repeated in this House that very soon the matter will be decided?

Mr. O. M. Trivedi: I said the representations were considered and the rate of dearness allowance was increased.

Mr. Govind V. Deshmukh: May I know the date when this representation was received?

Mr. O. M. Trivedi: Speaking from memory, it was received some time either towards the end of November or the beginning of December.

Syed Ghulam Bhik Nairang: Is not that time sufficient to arrive at a decision?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of argument.

Mr. C. M. Trivedi: Decisions have been taken on the representations.

INDIAN ARMY CORPS OF CLERKS AT THE GENERAL HEADQUARTERS.

163. *Syed Ghulam Bhik Nairang: Will the War Secretary please state:

- (a) whether there was any difference between the rates of pay and prospects for promotion of the British and Indian clerks of the General Headquarters (late Army Headquarters) before the introduction of the Indian Army Corps of Clerks in 1934? If not, what were the special reasons for making this departure from the most elementary principle of wage and work; and
- (b) whether he proposes to take immediate steps to remove this racial inequity by either:
 - (i) amalgamating the British and Indian wings of the Indian Army Corps of Clerks into one cadre and gradually mustering out of service all such individuals as may not elect to serve in the combined cadre, or
 - (ii) by enforcing very clear and strict rules for seniority and promotion so that Indian clerks may have parallel steps of promotion with their British colleagues and are not superseded simply because the latter are British?

Mr. C. M. Trivedi: (a) and (b). The answer to the first part of (a) is in the negative. With regard to the remainder of the question, the position is that in 1933, it was decided that the former system of recruiting British clerks direct from the army and turning them into civilians was not satisfactory since they came to G. H. Q. with no clerical training. It was, therefore, decided to recruit to G. H. Q. B. O. Rs. who had already served in the offices of lower military formations and who would thus have some years of clerical training in addition to military experience. These personnel are a part of what is known as the British Wing of the I. A. C. C. The Indian Wing of the I. A. C. C. is recruited by enrolling, through the Federal Public Service Commission, young men who normally have had no previous military or clerical training. The terms and conditions of the two Wings are not determined by racial considerations. G. H. Q. requires personnel of different types to deal with its business. It requires British military personnel, which is drawn from the British army and paid in consequence at rates which are related to the pays laid down for British soldiers by His Majesty's Government. It also requires Indian clerks drawn from civilian sources and the rates of pays offered to these are fixed with reference to the standard of remuneration usual for the same class of work in the civil departments of Government. The present system provides a constitution which is best suited to an organisation such as G. H. Q., and there is no immediate intention of changing that constitution.

Syed Ghulam Bhik Nairang: With reference to the statement that the British and Indian cadres are required to do different kinds of work. May I know whether it is a fact that in certain office arrangements they take each other's place, doing exactly the same kind of work?

Mr. C. M. Trivedi: No; I think certain types of work are performed by the B. O. R.

Syed Ghulam Bhik Nairang: Is it not a fact that with the exception of posts carrying higher emoluments and posts in the nature of key posts, every post is held by a clerk of the I. A. C. C. without regard to whether he is Indian or British and that the above mentioned posts are kept as a preserve for the British members of the cadre?

Mr. C. M. Trivedi: If the Honourable Member suggests that all the posts are inter-changeable—every one of them—I do not think he is correct.

UTILISATION OF INDIA'S STERLING IN LONDON.

164. *Mr. Muhammad Ashar Ali: Will the Honourable the Finance Member

please state if it is a fact that India has about 400 crores worth sterling in London? If so, has any amount out of that been utilized for the purchase of foreign business? If not, why not?

The Honourable Sir Jeremy Raisman: I would invite the Honourable Member's attention to the reply given to Sir Zia Uddin Ahmad's starred question No. 120 on the 17th February, 1943.

GOVERNMENT PAYMENTS TO THE ASSOCIATED PRESS OF INDIA, AND THE REUTERS.

165. *Mr. H. A. Sathar H. Essak Salt: Will the Honourable Member for Information and Broadcasting be pleased to state the amount of money paid, (i) to the Associated Press of India, and (ii) to Reuters, by way of:

(a) subsidy;

(b) subscription for news service supplied to various Departments, Provincial Governments, Governors and the Governor-General; and

(c) for any other reason?

The Honourable Sir Sultan Ahmed: (a) Nil.

(b) The Government of India pay the Associated Press of India and Reuters, as also other Indian News Agencies, a subscription for the supply of their news service to various officers in the Government of India. Subscriptions paid in 1941-42 to the Associated Press of India and to Reuters amount to Rs. 11,400 and Rs. 1,37,347-9-0 respectively. The cost of supply to Provincial Governments and Governors is met by the Provincial Governments concerned.

(c) Nil.

Mr. N. M. Joshi: May I ask what is the object of supplying free of cost these news sheets to officers of the Government of India? Other people have to pay for their newspapers. Why should not the Government officers pay?

The Honourable Sir Sultan Ahmed: Because Government consider it necessary that their officers should be up to date in the informations which are given.

Mr. H. A. Sathar H. Essak Salt: What is the answer to (c)?

The Honourable Sir Sultan Ahmed: Nil.

Seth Yusuf Abdoola Haroon: May I ask whether the Orient Press and the United Press are also being subscribed to?

The Honourable Sir Sultan Ahmed: Besides the Associated Press of India and Reuters, Government also subscribe to the United Press and the Orient Press. The rate of subscription paid to these agencies is the same as is paid to the Associated Press—viz., Rs. 30 per copy per month.

MOTION FOR ADJOURNMENT.

FAILURE TO RELEASE MAHATMA GANDHI UNCONDITIONALLY.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion of adjournment from Dr. P. N. Banerjee; he wishes to discuss a definite matter of urgent public importance, namely, the failure of the Government of India to release Mahatma Gandhi unconditionally in spite of the grave condition of his life. This is the very question which was discussed only the other day on an adjournment motion.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, the new factor is the grave condition of his health. If you consider that sufficient

Mr. President (The Honourable Sir Abdur Rahim): All that was fully anticipated in the previous motion. The very object of that adjournment motion was to secure his release, because the fast might endanger his health and his life. I rule that the motion is not urgent within the meaning of the rules and Standing Orders; and is out of order.

CORRESPONDENCE BETWEEN THE GOVERNMENT OF INDIA AND THE CEYLON GOVERNMENT.

Mr. A. V. Pal (Government of India: Nominated Official): Sir, I lay on

the table copies of the correspondence between the Government of India and the Government of Ceylon mentioned in the Agenda :

List of papers.

1. Telegram to the Chief Secretary to the Government of Ceylon, Colombo. No. 1493, dated the 26th February, 1942.
2. Telegram from His Excellency the Governor of Ceylon, No. nil, dated the 18th March, 1942.
3. Telegram to His Excellency the Governor of Ceylon, No. 2474, dated the 29th March, 1942.
4. Telegram from His Excellency the Governor of Ceylon, No. nil, dated the 13th April, 1942.
5. Telegram to the Chief Secretary to the Government of Ceylon, Colombo, No. 3006, dated the 15th April, 1942.
6. Telegram from His Excellency the Governor of Ceylon, No. 4, dated the 22nd April, 1942.
7. Telegram to His Excellency the Governor of Ceylon, No. 1258-S., dated the 7th May, 1942.
8. Telegram from His Excellency the Governor of Ceylon, No. 19, dated the 3rd June, 1942.
9. Letter to the Chief Secretary to the Government of Ceylon, No. F. 35/42-O. S., dated the 20th August, 1942.
10. Letter from the Chief Secretary to the Government of Ceylon, No. CF. A. 121/40, dated the 4th September, 1942.
11. Telegram from His Excellency the Governor of Ceylon to His Excellency the Governor General of India, No. 16, dated the 8th December, 1942.
12. Telegram to His Excellency the Governor of Ceylon, No. 9817, dated the 10th December, 1942.
13. Telegram from His Excellency the Governor of Ceylon, No. 139, dated the 16th December, 1942.
14. Telegram from His Excellency the Governor of Ceylon, No. 141, dated the 1st January, 1943.
15. D. O. letter from the Hon'ble Mr. G. S. Bozman, Secretary to the Government of India, Department of Indians Overseas, New Delhi, to Sir Don Baron Jayatilaka, Representative of the Government of Ceylon in India, New Delhi, No. nil, dated the 18th January, 1943.
16. D. O. letter from the Hon'ble Mr. G. S. Bozman, Secretary to the Government of India, Department of Indians Overseas, New Delhi, to Sir Don Baron Jayatilaka, Representative of the Government of Ceylon in India, New Delhi, No. nil, dated the 20th January, 1943.
17. D. O. letter from Sir Don Baron Jayatilaka, Representative of the Government of Ceylon in India, New Delhi, to Mr. G. S. Bozman, Secretary to the Government of India, Department of Indians Overseas, New Delhi, No. nil, dated the 3rd February, 1943.
18. D. O. letter from the Hon'ble Mr. G. S. Bozman, Secretary to the Government of India, Department of Indians Overseas, New Delhi, to Sir Don Baron Jayatilaka, Representative of the Government of Ceylon in India, New Delhi, No. nil, dated the 8th February, 1943.
19. D. O. letter from Sir Don Baron Jayatilaka, Representative of the Government of Ceylon in India, New Delhi, to the Hon'ble Mr. G. S. Bozman, Secretary to the Government of India, Department of Indians Overseas, New Delhi, No. nil, dated the 12th February, 1943.
1. TELEGRAM TO THE CHIEF SECRETARY TO THE GOVERNMENT OF CEYLON, COLOMBO, No. 1493, DATED THE 26TH FEBRUARY, 1942.

Government of India have given most careful consideration to proposals contained in Joint Report of Indian and Ceylonese Delegations regarding restrictions upon Indian Immigration into Ceylon. They have consulted Indian Legislature and ascertained reactions of Indian public opinion in general. As a result it was their intention to suggest certain modifications in draft agreement contained in Joint Report. Great change in course of war has however, supervened which in opinion of Government of India renders further examination of this problem undesirable and inconsistent with requirements of war situation. They, therefore, suggest that further consideration of proposals should be suspended and problem re-examined in light of post war conditions.

This involves maintenance for period of war *status quo* as before introduction of Immigration Ordinance in Ceylon and Government of India earnestly trust that Ceylon Government will agree that this is proper course in best interests of successful prosecution of war.

Government of India are anxious that two Governments should achieve fullest possible measure of co-operation in common object of ensuring early victory. They appreciate that existence of artificial barriers between two countries may prove obstruction to such co-operation. Should Ceylon Government find that for war purposes it may be necessary to seek labour from India, Government of India are willing to consider relaxation or removal of existing ban on emigration of unskilled labour provided that Ceylon Government agree to proposals set out in preceding paragraph.

2. TELEGRAM FROM HIS EXCELLENCY THE GOVERNOR OF CEYLON, NO. NIL, DATED THE 18TH MARCH, 1942.

Your telegram of 26th February. Ceylon Government agree that the present circumstances demand that further consideration of the Joint Report should be suspended until conditions favourable to its resumption recur. Government also agree to continue of *status quo* on the understanding that the *status quo* includes maintenance of your ban on emigration of unskilled labour. Should circumstances arise in which the Ceylon Government might find it necessary and possible to recruit labour for the duration of War for War purpose this Government would ask for relaxation of the ban for that purpose.

3. TELEGRAM TO HIS EXCELLENCY THE GOVERNOR OF CEYLON, NO. 2474, DATED THE 29TH MARCH, 1942.

Your telegram No. nil, dated 18th March.

Government of India greatly appreciate ready response of Ceylon Government to their request that restrictive measures should be held in abeyance during period of war. They believe that cordial relations engendered by willingness of each Government to consider difficulties of other will lay surest foundation for equitable solution of all differences.

2. Government of India wish to invite attention of Government of Ceylon to certain considerations relating to ban now imposed in India on emigration of unskilled labour. They have no desire to stimulate emigration of persons whom Ceylon does not require or cannot absorb. In war conditions such emigration becomes highly improbable. True position rather is that ban is to some extent operating to prevent return from Ceylon to India of some whom Ceylon does not now need to keep and may have difficulty in feeding. If ban on their subsequent return to Ceylon were removed there is reason to believe that not a few would take present opportunity of coming to India and would thus relieve Ceylon of some portion of problems arising from difficulty of adjusting war time economy to total population. In addition as indicated in your telegram Ceylon Government themselves may feel need of labour from India for essential war purposes. Government of India, therefore, feel that they must reserve right to lift ban as circumstances require and propose now to make it inapplicable to all Indians at present in Ceylon. They firmly believe that this will result in immediate temporary reduction in population of Ceylon and will themselves take administrative action in India to provide all those now coming away with a certificate of date of arrival in India. Unless Ceylon Government make application no unskilled labourers not in possession of such certificates will be permitted proceed Ceylon. Government of India earnestly trust that measure proposed will commend itself to Government of Ceylon as calculated to relieve some existing difficulties and designed to prevent any new influx and will on this basis confirm the agreement in other respects as set out in their telegram under reply. Grateful for answer by telegram.

4. TELEGRAM FROM HIS EXCELLENCY THE GOVERNOR OF CEYLON, NO. NIL, DATED THE 13TH APRIL, 1942

Your telegram No. 2474, March 29th.

Board of Ministers point out existence of ban constitutes part *status quo* and its maintenance contributed largely to Board's refraining from taking any of measures which formed the subject of recent negotiations and to their suspending action on bills which have already been introduced into State Council. Furthermore the acceptance by Board of proposal of Government of India to allow recent negotiations to remain in abeyance was based on assumption that ban would be continued. The Board therefore cannot agree to ban being lifted and request that decision to raise it should not be implemented.

5. TELEGRAM TO THE CHIEF SECRETARY TO THE GOVERNMENT OF CEYLON, COLOMBO, NO. 3006, DATED THE 15TH APRIL, 1942.

Your telegram No. Nil, dated 13th April. Before sending final reply we wish to make quite certain Ministers have fully understood our proposal which is to maintain ban for all unskilled labour which has not previously been in Ceylon but to relax it in case of labour now in Ceylon. It appears to us that this should meet the point taken by Board of Ministers namely that their suspension of action regarding immigration restrictions is largely in recognition of fact that action taken by India prevents any addition to Indian labour force in Ceylon. Fact that during war period those now in Ceylon can move freely between two countries does not in our opinion prejudice decision to be taken after war on various issues raised during recent negotiations.

6. TELEGRAM FROM HIS EXCELLENCY THE GOVERNOR OF CEYLON, NO. 4, DATED THE 22ND APRIL, 1942.

Your telegram No. 3006 of 15th April.

Ministers who have fully understood proposal of Government of India represent that effect of raising ban so far as unskilled labour now in Ceylon is concerned might well be to cause efflux of labour employed in tea and rubber industries. Such labour is now in area which are relatively safe. Efflux in considerable numbers would cause serious loss to two vital war efforts. Both industries have been declared essential services. Owing to demands on labour for war purposes replacement of any considerable number of Indians labourers on estates would be very difficult in present circumstances. There is no surplus labour either on estates or in other essential services. Furthermore both tea and rubber industries are being required to increase their production considerably. The reabsorption after war of Indians who have left these industries and returned to India and have been replaced during the war by local labour would be impossible. Ministers feel that Government of India

would not wish tea and rubber industries to be seriously embarrassed and therefore request that the ban be not lifted.

7. TELEGRAM TO HIS EXCELLENCY THE GOVERNOR OF CEYLON, No. 1258-S., DATED THE 7TH MAY, 1942.

Your telegram No. 4, dated 22nd April. Argument now advanced by Ministers appears to us to give wholly new turn to correspondence which arose from suggestion in our telegram No. 1493, dated 26th February that further consideration of Joint Report of Immigration should be suspended for period of war and *status quo ante* negotiations leading to that Report should be maintained. Ministers' reply in your telegram No. nil, dated 18th March was favourable provided India in return for Ceylon not proceeding with Immigration Ordinance agreed to maintain probation on emigration of unskilled Indian labour to Ceylon. This India agreed to do in respect of unskilled Indian labour not already in Ceylon but not in respect of labour already in Ceylon which might come away to India for temporary purposes.

2. Ministers will appreciate that prohibition was imposed by India in August 1939 for purpose of preventing new labour going to Ceylon. Prohibition was not intended to prevent Indian labour leaving Ceylon and Government of India do not feel it is appropriate to ask them to maintain their prohibition for that purpose. If it is Ceylon's desire to retain Indian labour for certain purpose method of doing so should be method designed to that end and not fortuitous result, upon which incidentally no great reliance can be placed, arising from action designed for different reason involving different considerations. Government of India regret therefore that they are unable to forego right to relax prohibition to the extent suggested by them. They earnestly trust that Ministers will appreciate Government of India's position in this respect and will now agree to the suggestion made in our telegram No. 2474, dated 29th March. Government of India are most anxious to avoid any development which might make it difficult for them to afford Ceylon fullest possible assistance for prosecution of war both in men and materials.

8. TELEGRAM FROM HIS EXCELLENCY THE GOVERNOR OF CEYLON, No. 19. DATED THE 3RD JUNE 1942.

Your telegram No. 1258S., dated May 7th. The Board of Minister(s) is being asked to agree not only to a postponement of indefinite period of consideration of Indo-Ceylon Report and, as a consequence to maintenance of *status quo* prior to introduction of Immigration Bill but also allow variation of that *status quo* namely the lifting of ban as regards all unskilled workers now in Ceylon.

2. Board desires to point out that in the negotiations of last September it was made clear that ban would remain until Political and Economic position of Indians in Ceylon had been settled and that Immigration Ordinance was not therefore urgent. In other words the argument was that ban not only operated, to a large extent, as an Immigration Ordinance as regards first entrant but also restricted return to Ceylon of unskilled workers. Board therefore find it impossible to agree at the same time both to lifting of ban in respect of all labour now in Ceylon and also to postpone legislation which would control right of re-entry into Ceylon of unskilled labour now in Ceylon.

3. Board of Ministers feel that Government of India will appreciate difficulty of Board when they are asked to admit the right to return of all Indians now in Ceylon who leave Ceylon during war however long their absence from Ceylon may be.

9. LETTER TO THE CHIEF SECRETARY TO THE GOVERNMENT OF CEYLON, No. F.35/42-O. S., DATED THE 20TH AUGUST, 1942.

I am directed to refer to the telegram from the Governor of Ceylon, No. 19, dated June 3, 1942, and to say that the Government of India do not feel that they would be justified in continuing to impose upon the Indian labourer in Ceylon the hardship caused to him by the ban which has now been in existence for three years and which deters him from coming to India on short visits for social and domestic purposes, for fear that his return to the island will be prevented by the operation of the ban. They have therefore decided to relax the ban so as to permit the return to Ceylon of Indian labourers now in the island who may come to India on or after September 1, 1942. They greatly regret that the Government of Ceylon have not found it possible to accept the Government of India's view in this matter.

2. A copy of the press note which the Government of India propose to issue for publication on the morning of September 1, 1942, is enclosed. The Agent of the Government of India in Ceylon is being asked to publish a translation of it in the Tamil newspapers in Ceylon on the same date.

PRESS NOTE.

Emigration of unskilled labourers to Ceylon.

The Government of India have decided to relax with effect from September 1, 1942, their prohibition of the emigration of unskilled labourers to Ceylon so far as it affects labourers now in Ceylon. The effect of the ban on such labourers has been that, since, its imposition three years ago, they have been prevented from paying their normal visits to India, for social and domestic purposes, for fear of not being allowed to return to their employment in Ceylon. The uncertainty about employment in Ceylon, which was the reason for the ban being imposed, cannot be considered to subsist in wartime, when practically all Indian labour in Ceylon is employed on work essential to the war effort. The Government of India are therefore of opinion that there is no justification for continuing to place any obstacle in the way of labourers wishing to pay their normal visits to India. The prohibition will continue to operate as heretofore in regard to labour not already in Ceylon.

Estate labourers who obtain leave to visit India should get their identity certificate endorsed with the date of their arrival by the Protector of Emigrants at Mandapam or Tuticorin. Non-Estate labourers who obtain leave should obtain identity certificate from the Agent of the Government of India in Ceylon before leaving and get them similarly endorsed on arrival in India.

DEPARTMENT OF INDIANS OVERSEAS,
New Delhi, August 28, 1942.

10. LETTER FROM THE CHIEF SECRETARY TO THE GOVERNMENT OF CEYLON, No. CF-A.121/40, DATED THE 4TH SEPTEMBER, 1942.

I have the honour to acknowledge the receipt of your letter No. F-35/42-O.S., dated the 20th August, 1942, and to state that your letter has been considered by the Board of Ministers who have asked me to reply as follows:

The Board regret that the Government of India has not found it possible to meet the wishes of the Ceylon Government and has felt compelled to take unilateral action. The Board have already stated that, in their opinion, lifting the ban whether, wholly or partially, does change the *status quo*. Furthermore it may create economic and other problems in Ceylon which, in the interests of the war effort of Ceylon alone, apart from any other consideration, will have to be solved. The Board may therefore be compelled to take action which will change the *status quo*. They will keep the Government of India informed of any such action but they must reserve the right to deal with such problems if they arise notwithstanding that the solution of any such problem may cause further changes in the *status quo* and may not have the concurrence of the Government of India. The Board earnestly trust that no such action will become necessary.

11. TELEGRAM FROM HIS EXCELLENCY THE GOVERNOR OF CEYLON, TO HIS EXCELLENCY THE GOVERNOR GENERAL OF INDIA, No. 16, DATED THE 8TH DECEMBER, 1942.

Adequate supply of estate labour is under urgent consideration by Board of Minister(s) with special reference to production of rubber and Ceylon's basic quota represents 85 per cent. of production left in the control of the allied nations. In these circumstances Ceylon must resort to most intensive tapping possible including slaughter tapping in order to increase production to at least 30 per cent. above basic quota. This will entail the employment of additional labour during the war and less than normal amount of labour after the war when areas have been exhausted. Estates are also required by law for period of war to produce food stuffs in addition to plantation commodity and this also requires abnormal *ad hoc* increase in labour force. Demands on local labour for military units, defence works, essential services and rural food production have been and are very heavy and consequently there is no surplus available for diversion to estates. Production of tea must not be allowed to decrease below present necessary level. It will be realised that now that Indian ban on emigration has been relaxed in respect of labourers now in this Island there is likely to be usual exodus on holidays to India during early months of next year. In these circumstances Board of Ministers has asked me to ascertain whether Government of India notwithstanding their ban on emigration to Ceylon of unskilled labour other than labourers already in the Island would consider special recruitment of labour to meet present war emergency on the following points: (a) Pay and conditions of employment identical with those of other Indian labour; (b) repatriation to India at the end of the war or other period stipulated by agreement. Board of Ministers consider arrangement on these lines to be right one to meet position with which they are confronted which is that (a) demand for extra estate labour is abnormal and only temporary although essential to prosecution of the war and (b) status of Indians in Ceylon is one of the questions which at the request of the Indian Government has been postponed for consideration at a future un-determined date. Grateful for earliest possible reply to this telegram in order that if your Government approves principle of recruitment on the lines proposed, details of method and machinery may be immediately worked out in consultation between our two administrations through Ceylon's newly appointed representative in India. Paramount essentiality of maximum production of our plantation crops especially rubber to supply position of Allied Nations has caused me to head this telegram "Most Immediate".

12. TELEGRAM TO HIS EXCELLENCY THE GOVERNOR OF CEYLON, No. 9817, DATED THE 10TH DECEMBER, 1942.

Your most immediate telegram 00016, dated 8th December. Grateful if you would let us know present basic quota for Ceylon, acreage under rubber, number of labourers Indian and other employed, and estimate of additional numbers required with basis of calculation. Also extra numbers you consider needed for food production on estates.

13. TELEGRAM FROM HIS EXCELLENCY THE GOVERNOR OF CEYLON, No. 139, DATED THE 16TH DECEMBER, 1942.

Your telegram No. 9817. Present basic quota 110,000 tons. Acreage under rubber excluding new plantings 604,000 acres of which small holding, i.e., properties under 10 acres account for 132,000 acres small estates, i.e., properties between 10 and 100 acres account for 123,000 acres and large estates, i.e., properties over 100 acres account for 349,000 acres. The acreage required by law to be cultivated with food crops by rubber proprietors is approximately 36,000 acres but little of this acreage is found within the boundaries of the rubber estates: consequently bulk of persons employed on food production is non-resident and non-Indian labour. The number so employed may vary from a few thousand at one time of the year to as many as thirty to forty thousand at another. Very few of the tappers employed on the small holdings and the small estates are resident labourers and still fewer are Indians.

It is therefore substantially correct to say that any increase in the labour force of small holdings and small estates must be obtained from the locality and not Indian labour. Approximately 80,000 tappers are employed on large estates. Exact proportion of Indian to non-Indian cannot be stated but for reasons already given it is clear that there is no hope of perceptibly increasing local labour force on large estates. Required increased Indian labour so far as rubber production is concerned therefore relates to an increase of tappers on large estates on which 80,000 tappers are employed. Suggested methods of intensive tapping will increase number of tappers required by 15—20 per cent. There must also be taken into account additional tappers required for slaughter tapping and an allowance must be made for wastage and absence on holiday. Returns labour employed output and other statistics are being obtained from each estate for the purpose of ensuring maximum production but these returns are not yet complete. Estimate of additional number of tappers must therefore be provisional at present. The figure given by Planters Association is 20,000. I will telegraph later details of position in regard to labour on tea estates.

14. TELEGRAM FROM HIS EXCELLENCY THE GOVERNOR OF CEYLON, No. 141, DATED THE 1ST JANUARY, 1943.

In continuation of my telegram No. 139 of December 16th. Estimate of Planters' Association is that approximately 30,000 additional adult labourers may be required for tea estates but actual figure must depend on extent to which manuring programme has to be restricted and to which present labourers take holidays in India. No estate would of course be permitted to indent for additional labour without proving case for it.

15. D. O. LETTER FROM THE HON'BLE MR. G. S. BOZMAN, SECRETARY TO THE GOVERNMENT OF INDIA, DEPARTMENT OF INDIANS OVERSEAS, NEW DELHI, TO SIR DON BARON JAYATILAKA, REPRESENTATIVE OF THE GOVERNMENT OF CEYLON IN INDIA, NEW DELHI, NO. NIL, DATED THE 18TH JANUARY, 1943.

You will remember that at the discussion which took place in Mr. Aney's house on the 16th January, 1943, Mr. Aney suggested that before reaching a decision on the supply of additional labour now required by Ceylon for rubber estates we should attempt to determine the main principles in accordance with which a settlement of immigration and status problems should be negotiated. You said that if we would put concrete proposals before you, you would give them your closest consideration.

I enclose a statement which will, I hope, explain the lines upon which our minds are working. It has been drafted in the form in which an agreed statement might be issued by both Governments, should an agreement in fact be reached. Mr. Aney would be glad to discuss with you any points you may wish to raise if you will be so good as to propose a convenient time.

Statement.

Owing to Japan's entry into the war the Government of India informed the Ceylon Government that in their opinion the proposals contained in the Indo-Ceylon Joint Report, presented in September 1941, should not be further considered during the war and that the problems of immigration into Ceylon from India and of the status of Indians in Ceylon should be re-examined in the light of post-war conditions. Subsequent developments have made it clear that Ceylon cannot herself provide sufficient labour for the maximum utilisation of her natural resources and for her fullest contribution to the united war effort. She has therefore asked India to permit the emigration of additional unskilled labour.

In these altered circumstances the Government of India have proposed and the Ceylon Government have agreed that the broad principles which will govern a detailed settlement should now be determined.

These principles are as follows :

- (i) It is agreed that Ceylon has the right to determine the future composition of her population by the imposition of such restrictions as she may deem necessary upon the entry of newcomers;
- (ii) It is agreed that all Indians who have entered or may enter Ceylon, without infringing any existing statute, before a future post-war date to be prescribed will be eligible to qualify for all the rights of citizenship now accruing to persons possessing a Ceylon domicile of origin;
- (iii) It is agreed that the qualification for such citizenship shall be such as can be determined by simple administrative process without recourse, except for the legalisation of documents or by way of appeal, to a court of law;
- (iv) It is agreed that, except for unskilled labour, Indians admitted to such citizenship shall have no right to any special protection by the Government of India;
- (v) It is agreed that the existing agreements between the two Governments regarding unskilled labour shall be maintained, subject only to such modifications as may become necessary by reason of restrictions being placed upon the entry of newcomers;
- (vi) It is agreed that any restrictions that may be placed upon the entry of newcomers shall not be such as :
 - (a) to prevent Indians already in Ceylon introducing upon equal terms wives, children and recognised dependants.
 - (b) to interfere with normal commercial practice between the two countries or to prevent the continuation of Indian business already legitimately established in Ceylon or

(c) to impose upon newcomers of Indian nationality any greater restrictions than may be imposed upon newcomers of other nationalities.

16. D. O. LETTER FROM THE HON'BLE MR. G. S. BOZMAN, SECRETARY TO THE GOVERNMENT OF INDIA, DEPARTMENT OF INDIANS OVERSEAS, NEW DELHI, TO SIR DON BARON JAYATILAKA, REPRESENTATIVE OF THE GOVERNMENT OF CEYLON IN INDIA, NEW DELHI, NO. NIL, DATED THE 20TH JANUARY, 1943.

I have now consulted Mr. Aney regarding the points which we discussed yesterday.

He sees the force of your comments regarding clause (iv) of our proposals and we therefore suggest that clauses (iv) and (v) should be redrafted as follows:

"(iv) It is agreed that Indians admitted to such citizenship shall have no right to any special protection by the Government of India but that, in the case of unskilled labour, there shall be no detraction from the conditions of work, wages, medical attention and housing already agreed between the two Governments.

(v) It is agreed that the existing agreements between the two Governments regarding conditions of work, wages, medical attention and housing for unskilled labour shall be maintained in respect of any new immigrant labour or any unskilled labourers who are not admitted to full citizenship, subject only to such modifications as may become necessary by reason of restrictions being placed upon the entry of newcomers."

Mr. Aney also agrees that in clause (vi) (a) the phrase "recognised dependants" should be altered to read "such dependants as may be agreed between the two Governments."

He has understood the point made by you in respect of the phrase "normal commercial practice" in clause (vi) (b), but we have not yet been able to evolve a re-draft. He suggests therefore that you might, if you so wish, inform your Government that the point has been brought to our notice and that we are considering it.

- 17 D. O. LETTER FROM SIR DON BARON JAYATILAKA, REPRESENTATIVE OF THE GOVERNMENT OF CEYLON IN INDIA, NEW DELHI, TO MR. G. S. BOZMAN, SECRETARY TO THE GOVERNMENT OF INDIA, DEPARTMENT OF INDIANS OVERSEAS, NEW DELHI, NO. NIL, DATED THE 3RD FEBRUARY, 1943.

With reference to your letters of the 18th and 20th January 1943, forwarding me the Draft Statement and the amendments thereto, I may inform you that I sent the Draft Statement as amended to His Excellency the Governor of Ceylon and have now heard that, before the documents could be placed before the Board of Ministers, it is considered necessary to have fuller information with regard to the proposals.

I shall therefore be grateful if you will be good enough to state whether the acceptance of the proposed statement would or would not involve the rejection or modification of the following sections and paragraphs of the Joint Report by the Delegations from India and Ceylon, dated 21st September, 1941, at Colombo:

- (1) The Draft Statement would appear to radically modify Part I, Section A. of the Joint Report by the substitution of an unspecified postwar date for date of coming into force of the Immigration Ordinance, which would have been passed immediately after the endorsement of the Joint Report by both Governments. The first effect of such substitution is that labour for war purposes could not, as requested, be recruited on a temporary basis because repatriation after the war would be precluded.

It may be recalled in this connection that by External Affairs Department telegram of 26th February, 1942, addressed to the Ceylon Government, the Government of India expressed its readiness to consider the relaxation or removal of the ban in respect of labour necessary for war purposes.

- (2) The basis of Part I, Section B. of the Joint Report would be modified in the same sense and with the same effect as Section A. Sub-sections (2), (3), (5), (6), (7), (8) and (11) appear to be rejected by paragraph (ii) of the Statement. The rejection of sub-section (11) is, of course, tantamount to the rejection of the principles underlying the whole of the Joint Report.

- (3) The whole of Part II of the Joint Report would appear to be rejected from:

- (i) substitution of the vague word "citizenship" (studiously avoided by the signatories to the Joint Report) for the careful categorization of rights in this section;
- (ii) avoidance of all reference to domicile of choice or period of residence as qualifying for immunity from quota legislation; and
- (iii) paragraph (vi) of the proposed Statement.

- (4) The proposed change in date of the coming into force of the Immigration Ordinance referred to above would appear to adversely affect Part III, Section A. of the Joint Report. Also paragraphs (ii) and (iii) of the proposed Statement would appear to wholly reject Section B. sub-sections (2), (3) and (4).

- (5) Part V. paragraphs (1) and (2), of the Joint Report appear to be rejected by paragraphs (ii) and (iii) of the proposed Statement.

- (6) Part VI, paragraphs (1), (2), (3) and (4), of the Joint Report are rejected or rendered irrelevant by paragraph (iii) of the proposed Statement.

An early reply will be much appreciated.

18. D. O. LETTER FROM THE HON'BLE MR. G. S. BOZMAN, SECRETARY TO THE GOVERNMENT OF INDIA, DEPARTMENT OF INDIANS OVERSEAS, NEW DELHI, TO SIR BARON JAYATILAKA, REPRESENTATIVE OF THE GOVERNMENT OF CEYLON IN INDIA, NEW DELHI, NO. NIL, DATED THE 8TH FEBRUARY, 1943.

I am grateful for your letter, dated the 3rd February 1943, in which you have forwarded certain enquiries made by His Excellency the Governor of Ceylon regarding our proposals. It is most unfortunate that the original has not even yet been delivered to me, but I have your signed copy which reached me today.

I trust that His Excellency is not under any misapprehension as to the object with which we put those proposals forward. As you will remember the Hon'ble Mr. Aney informed you specifically that we could not accept the original suggestion from Ceylon that labour should be recruited subject to compulsory repatriation. That being so we suggested that it might expedite consideration of Ceylon's request for labour if we could first agree upon the main principles which should govern subsequent detailed negotiations regarding the immigration and status of Indians in Ceylon. It was not our intention that the details of such negotiations should be considered now, nor did we envisage the Joint Report of 1941 being the basis of such negotiations. Should it be possible to reach an agreement upon these principles now the detailed settlement would be a fresh settlement utilising, if necessary only such portions of the draft Report as either party to the agreement might find useful in accordance with the agreed principles.

Since, however, His Excellency the Governor has asked specific questions regarding items in the Joint Report I should be failing in my duty if I did not reply to them individually. I should point out, however, that there are certain other items in that Report not covered by the present answers to which the Government of India raise certain objections. The answers to the individual points raised are as follows :

(1) The modification of the date upon which immigration restrictions might come into force was in fact suggested in our telegram No. 1493 of the 26th February, 1942, to which reference is made in the question. It also appears to have been accepted at least by implication by the Ceylon Government in the Governor's telegram of the 18th of March, 1942, in reply to our telegram. It is correct, therefore, to say that our present proposals suggest a modification of date. As regards its effect upon the labour now required by Ceylon this is covered by the reference I have made above to the Government of India's view on compulsory repatriation. The reference to the Government of India's readiness to consider the relaxation or removal of the ban in respect of labour necessary for war purposes is correct. It should be observed, however, that relaxation of the ban for a specific period or under such conditions as would permit of compulsory repatriation or be in any way inconsistent with the declared policy of the Government of India in the matter of emigration, was not suggested.

(2) With regard to the change in date the same remarks apply as under (1) above. It would hardly be correct to say that sub-sections (2) and (3) of Part I, Section B, of the Joint Report are necessarily rejected by paragraph (ii) of our proposals. That paragraph merely states that those who remain in Ceylon should be eligible to qualify for full rights of citizenship. This might in certain circumstances include some who have already been repatriated provided their repatriation does not act as a ban against their re-entry into Ceylon. It is correct to say that sub-sections (5), (6), (7), (8) and (11) are rejected. Whether sub-section (11) is a matter of principle is clearly open to argument.

(3) It is correct to say that the whole of Part II of the Joint Report is rejected though the reference to paragraph (vi) of our proposals is not wholly understood. The Government of India take objection to the whole proposal for internal quotas.

(4) As regards the proposed change in date the remarks under (1) above apply. It is correct to say that paragraphs (ii) and (iii) of our proposals reject sub-sections (2), (3) and (4) of Section B, Part IV, in so far as those sub-sections require reference to a Court and that they render the other provisions of those sub-sections, namely, the prescriptions regarding domicile of choice and certificate of permanent settlement, unnecessary.

(5) It is correct to say that Sections (1) and (2) of Part V become unnecessary.

(6) Sub-sections (1), (2) and (4) of Part VI also become unnecessary. The necessity for retaining sub-section (3) in any form would depend upon the qualifications prescribed in accordance with paragraphs (ii) and (iii) of our proposals.

19. D. O. LETTER FROM SIR DON BARON JAYATILAKA, REPRESENTATIVE OF THE GOVERNMENT OF CEYLON IN INDIA, NEW DELHI, TO THE HON'BLE MR. G. S. BOZMAN, SECRETARY TO THE GOVERNMENT OF INDIA, DEPARTMENT OF INDIANS OVERSEAS, NEW DELHI, NO. NIL, DATED THE 12TH FEBRUARY, 1943.

With reference to your letter, dated 8th February, 1943, contents of which I communicated to H. E. the Governor of Ceylon by telegram, I have been instructed to state for the information of the Government of India that the Governor has placed before the Board of Ministers :

- (a) the Draft Statement forwarded with your letter, dated 18th January, 1943,
- (b) the amendments thereto contained in your letter of 20th January, 1943, and
- (c) my telegram conveying the substance of your letter under reference.

2. I am to state that the Board of Ministers regret that the Government of India have found themselves unable to consider the proposals contained in the Governor's telegram No. 16 of 8th December, 1942, addressed to His Excellency the Governor-General of India

and that the Board of Ministers themselves are quite unable to consider any counter proposals on the basis of the Draft Statement referred to above.

3. I am also to add that the Board of Ministers note with surprise that the Joint Report of 1941 is no longer envisaged by the Government of India as the basis of any future negotiations regarding immigration and status of Indians in Ceylon in spite of the fact that—

- (a) the Government of India by telegram of February 26, 1942, suggested postponement of the consideration of the proposals in that Report until after the war, and,
- (b) the Government of Ceylon by telegram, dated March 18, 1942, agreed to the maintenance of the *status quo* on that understanding.

ELECTION OF THE STANDING FINANCE COMMITTEE.

The Honourable Sir Jeremy Raisman (Finance Member): I move:

"That this Assembly do proceed to the election, for the financial year 1943-44, in such method as may be approved by the Honourable the President, of a Standing Finance Committee of the Assembly not exceeding fourteen in number, to which shall be added a Member of the Assembly to be nominated by the Governor General. The Member so nominated shall be the Chairman of the Committee."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That this Assembly do proceed to the election, for the financial year 1943-44, in such method as may be approved by the Honourable the President, of a Standing Finance Committee of the Assembly not exceeding fourteen in number, to which shall be added a Member of the Assembly to be nominated by the Governor General. The Member so nominated shall be the Chairman of the Committee."

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadian Urban): Sir, on many occasions I have raised my voice of protest against the manner in which the business of the Standing Finance Committee is conducted. Several times in the past I have pointed out that the functions originally allotted to the Standing Finance Committee were diminished and curtailed, and that even the few functions which were actually exercised by that body were not exercised in the manner in which they ought to have been exercised. At the present moment new items of expenditure are placed before this Committee above certain limits, but most often these new items of expenditure are placed before the Committee after the expenditure has already been incurred. What then is the utility of the appointment of this Committee? I see none, unless the Government change their mind and agree to give us an undertaking to the effect that in future all new items of expenditure will be placed before the Committee before any new expenditure is incurred, and also if they agree to amplify the powers and functions of this Committee in the light of the observations made by Sir Malcolm Hailey in 1921. Last year I pointed out that Sir Malcolm Hailey said, when the Committee was going to be constituted for the first time definitely that this Committee would be entrusted with very important functions. But afterwards Government made a change in the functions of the Committee. Are you prepared, I ask, to restore the original functions of this Committee, and are you prepared to say that you will not incur any expenditure before the sanction of the Standing Finance Committee is obtained? If so, I shall support this motion; otherwise I will oppose it.

The Honourable Sir Jeremy Raisman: Sir, the question of the functions and scope of the Standing Finance Committee has been raised more than once in recent years in this House and the position has been explained. I do not think that I can add anything to what I have said on previous occasions. It is a fact that, when the conception of a Standing Finance Committee was first put before this House, the scope as indicated by Sir Malcolm (later Lord) Hailey was somewhat wider than that which has since been found practicable, but the change in the conception of the functions of the Standing Finance Committee has been dictated by hard practical considerations. The position is that Sir Malcolm Hailey was under a misapprehension in thinking that it would be practicable for the Standing Finance Committee to be associated with certain processes in the making of the budget, etc., which he then foreshadowed to this House. The position has been fully laid out in the memorandum on the functions of the Standing Finance Committee which was actually placed before the Committee and accepted and admitted by them on 21st January, 1937. I will say no more about the committee and the scope of its functions except this, that even in

England where the same problem has arisen, it has been found impossible, for precisely the same reason, to give a larger scope to a body of this nature.

Dr. Banerjea's second objection is one which deserves serious attention. He protests that it frequently happens that proposals for expenditure are placed before the Standing Finance Committee and that a certain amount of expenditure has already been incurred by the time these proposals are placed before the Committee. In normal times that is a matter which Government are exceedingly anxious to avoid and the Finance Department has repeatedly and constantly impressed on the departments that expenditure should not be incurred on proposals which are to come before the Standing Finance Committee before the Committee has had an opportunity of considering those proposals. But my Honourable friend must recognise that we live in very abnormal times. Practically all the new expenditure of the Government is incurred, on measures necessitated by the war. The necessity for these measures springs up from day to day, often with a rapidity which we are unable to control. Unless, therefore, the Committee is to take over the executive functions of the Government and sit day by day at headquarters, or unless, on the other hand, action which is absolutely necessary in the interests of the country is to be delayed until the Committee can be called,—unless I say these conditions can be accepted, it is inevitable in times such as the present that proposals should come before the Committee after a certain amount of expenditure has been incurred, and I for my part would not be prepared to take the responsibility of asking the Departments of the Government of India never to incur expenditure in present circumstances until they have been able to get the Committee called together and their proposals approved.

Mr. Hoosseinbhoj A. Lalljee (Bombay Central Division: Muhammadan Rural): I quite agree with the reasons that the Honourable the Finance Member has given, but I should certainly like to appeal to the Government on another important point, and that is this. If you are required to make expenditure owing to the war without obtaining the sanction of the Standing Finance Committee, will it not be possible for Government to hold more frequent meetings of the Standing Finance Committee than they have hitherto done? That will certainly help a great deal. If such an assurance is given, I am sure my Honourable friends, realising the present position, will certainly not take objection to this motion.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): I agree to a certain extent with what was said by the Honourable the Finance Member as regards war expenditure, but I would ask him to consider this point, whether those items of expenditure which do not relate to the war cannot be stayed and placed before the Standing Finance Committee before incurring any expenditure. The point made by my Honourable friend, Mr. Lalljee, that the meetings of the Committee should be more frequent, is a weighty one. It may be said that these are urgent times and that Government may have to spend money, crores and crores and lakhs and lakhs, in a minute's time. It may be all right, but Government have their responsibility to the House and ought to call more meetings of the Committee. At the same time those items which do not relate to the war and are not so very necessary and urgent should be put before the Committee and their sanction obtained before incurring expenditure.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That this Assembly do proceed to the election, for the financial year 1943-44, in such method as may be approved by the Honourable the President, of a Standing Finance Committee of the Assembly not exceeding fourteen in number, to which shall be added : Member of the Assembly to be nominated by the Governor General. The Member so nominated shall be the Chairman of the Committee."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of members for the Standing Finance Committee the Notice Office will be open to receive nominations up to 12 O'clock

[Mr. President.]

on Wednesday, the 24th February, 1943, and that the election, if necessary, will be held on Monday, the 1st March, 1943. The election, which will be conducted in accordance with the principle of proportional representation by means of the single transferable vote, will be held in the Assistant Secretary's room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Sultan Ahmed (Law Member): Sir, I move for leave to introduce a Bill further to amend the Code of Civil Procedure, 1908.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Code of Civil Procedure, 1908."

The motion was adopted.

The Honourable Sir Sultan Ahmed: Sir, I introduce the Bill.

THE ALIGARH MUSLIM UNIVERSITY (AMENDMENT) BILL.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I move for leave to introduce a Bill further to amend the Aligarh Muslim University Act, 1920.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Aligarh Muslim University Act, 1920."

The motion was adopted.

Mr. J. D. Tyson: Sir, I introduce the Bill.

MOTION *RE* THE SITUATION AS REGARDS FOOD AND OTHER NECESSARIES—*concl'd.*

Mr. President (The Honourable Sir Abdur Rahim): Further consideration of the motion moved by the Honourable Mr. N. R. Sarker on Monday, the 15th February, 1943, regarding the food situation.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): Mr. President, the prophecy I made the other day about the empty Treasury Benches has come true and today I find myself still in greater difficult position in not knowing who the Commerce Member is. I think I have to address the Secretaries of the Departments.

The other day I spoke regarding the distribution of sugar and how the quotas are distributed to the provinces. I wish to make a suggestion regarding this. The Sugar Controller distributes his quotas and asks factories to send their sugar to the different provinces but somehow or other, factories which are not prepared to send their sugar to provinces manage to delay in sending this sugar to the different provinces. I do not know how they manage it. For example, last December when representation was made by the Sugar Mill Owners Association to the Government, they were convinced that the price of sugar was going to be raised in the month of January. When quotas were allotted to these sugar factories, they refused to send their quotas to the different provinces. Some factories came to an arrangement with the provinces that sugar will be sent to them when the price will be raised but not until then. Somehow or other, Sind was the only lucky province which came to an arrangement and said "We will give you the prices which are raised after the 1st of January". Those provinces which did not make such an arrangement did not get the sugar. So, I would like to make a suggestion that when allotting sugar quotas to the different factories, the Controller of Sugar Supplies should be given the power of giving them the wagons also and the factories should send their sugar within the time specified by the Sugar Controller.

Sir, we have been hearing a lot about standard cloth for the last two years. Early in February a conference was held in Bombay between the Textile Association and the Government and there was no reference made there regarding standard cloth. When the *Indian Finance* wrote about this and other papers also,

the Government came out with a reference about this and said that fifteen hundred million yards of standard cloth is to be produced and that fifteen million yards will be marketed early next month. So far so good; but what about the distribution? I must congratulate the Government on one thing that they have turned down the suggestion of the Mill Owners Association for distributing. If the Mill Owners Association were given the task of distributing, I assure you that this cloth would never reach the consumers. I believe that the Government has now approached the Provincial Governments for the distribution but I would suggest that the Provincial Governments should set up an Advisory Board consisting of some business men and leading persons in the province. The function of the Advisory Board should be to prepare a list of those dealers who are going to sell this cloth in the market and this list should be made according to the ratio of the communal population and those dealers should be warned that if they do not sell this cloth according to the terms, their names will be struck off and they will be penalised. I would like to draw the attention of the Government to the scheme of standard cloth distribution in force in Indore. The Indore State takes a personal interest in this, whereas we have none to look after us. This is the Indore Scheme:

"The Standard Cloth Scheme for supply of cheap cloth to the poor at rates 40 per cent below the prevailing market ones was put into operation in Indore City from the 15th December, 1942. Four shops are working in the city and six more will be opened in suitable localities as demand for the cloth increases. The total supply of cloth for sale to the shops up to the 15th January amounted to 31,735 yards and the actual sale to 99,547 yards. This cloth is manufactured in the local mills and sold at Government shops run in the city by the local licensee. It can be purchased by persons whose monthly income does not exceed Rs. 60 per month on presentation of coupons that are delivered at the residences of applicants for them after verification of their income and number of family members. 2,500 applications have so far been verified and coupons for 76,104 yards for 6,342 persons issued, each person being eligible for getting 12 yards of Standard Cloth per year *per capita* for himself and his immediate dependents. The varieties of cloth that will be available consist of *Satan*, long cloth, *rangawat*, *dhoti* and *chadar*."

This is the scheme put forward by the Indore Government and I hope the Government will go into it or ask the State as to how they have made this arrangement and try to put into force this arrangement in British India also.

Sir, I now come to wheat. I admit that Sind has also felt a great deal in not being able to fulfil the demands of its people, but who is to blame for it? Sind grows its own wheat and is a surplus province so far as wheat is concerned and yet Sind people were deprived of it because of the policy of the Government of India. Last year my father, who was a Member of this Honourable House, told the Commerce Member, Sir Ramaswami Mudaliar, in Food meetings, in private interviews and by letters asking the Government to look into this affair. At that time the Government was involved in many other things and did not have time to look into this food question. Sir, then they were settling the needs of other countries because it was going to be an essential element in the strategy of this war. In return we were to have the goodwill and good gesture of those countries, but now pure strategy should be kept aside and the Government should look after the hungry people of this country. They should consider them first. Is the Government now prepared to give us an assurance that they will get the quotas of different provinces and only the surplus will be sent out?

Sir, I find from the *Capital*, which is the leading Indian financial paper, that the Government has evolved a scheme of purchasing wheat through the Provinces and are appointing their agents for purchasing the same. I would again sound a note of warning to the Government that this is not the right system. When there is a demand for a commodity which is small in quantity and for which the Government and the people are struggling, Government should try to have the confidence of the grower. They should try and form a sort of co-operative system of the zamindars in which the produce should be pooled. The zamindars should be asked to inform the Government as to their

[Seth Yusuf Abdoolah Haroon.]

production and the Government, instead of appointing one of their favourites as a purchasing agent, appoint co-operative societies and ask these co-operative societies to sell their produce to the Government and direct them to distribute it. Of course, commissions and other advantages should be given to these co-operative societies. If the Government will try to have the confidence of the growers, then and then alone we will be able to solve this problem. The appointments of the purchasing agents, who are naturally the favourites of the Government, should be abandoned and the system that I have suggested should be introduced.

Sir, I would like to point out another thing to the Government, namely, the rise in the price of groundnuts. The price of groundnut today is about Rs. 67/8 and last year it was Rs. 31. The price has gone up because the import of coconut oil from other countries has been stopped altogether. This is also a very essential commodity. It is used for the manufacture of soap, etc. The price has been more than doubled and it is high time that Government should look into this matter and do something.

If I am heard and attention is paid, I will ask the Government to let us know as to what they want—control, partial control, de-control, secession of orders, amendment of orders or the re-amendment of orders have left us all dizzy. We do not know where we are. The producer does not know what is happening and that is why there is hoarding. The Government should decide its policy and let us know once for all as to what they are going to do and what are their intentions for the future. Once this is done and the Government comes out with a scheme before the country, I am sure all the communities and all the producers will co-operate with them and there will be no hoarding.

Mr. T. S. Pillay (Government of India: Nominated Official): Sir, I rise from my seat not to offer apologies for any one. I am not here to justify the mill-owners' case or to justify the Government's action or to justify what is known as negligence regarding the consumers' interests and demands. I wish to place on behalf of the Commerce Department one or two major facts and to narrate the events that have occurred for the last two years in respect of the two commodities that have been referred to, namely, kerosene and standard cloth. As regards others, my Honourable friend, Major General Wood, will inform the House in due course. It is somewhat unfortunate that when I have ventured to place before the House the views of the Commerce Department some of the leading Members who made trenchant criticisms on certain aspects of Commerce Department's policy are absent. I refer to my Honourable friends, Sir Zia Uddin Ahmad and Mr. Jammadas Mehta. I am sure my Honourable friends in this House will bear with me for a few minutes when I narrate the events and will give us their beneficial advice which we are always willing to receive and consider.

Now, Sir, to take first the question of kerosene. I was unfortunately not present when my Honourable friend, Mr. Muhammad Nauman, made certain remarks about the kerosene supplies in Bihar. The position about kerosene is this. Soon after the fall of Burma, the question of the supply of kerosene to this country became rather acute. India was never self-sufficient in respect of this oil. We had to import considerable quantities, mostly from Burma. As the Honourable Members are aware, after Japan joined the war the position of shipping became very acute. These oils are transported in what are known as tankers, which are certainly not adequate for transporting oils of the character which are required for war purposes, namely, aviation spirit and petrol. We had to economise in tankers and so in consultation with the suppliers and in consultation with all the authorities who have command over the tankers, we had to decide that certain cuts will have to be imposed on the supply of kerosene to this country. It was done gradually; it was done in consultation with those who know the markets inside out. The first cut came to about 10 to 20 per cent. of the normal supply of a normal year, but gradually we had

to increase it till, it now stands at about 50 per cent. of the level of supply to the various markets for corresponding periods in the year 1941. Fortunately in respect of this commodity there is a well organized organisation that has complete command over the distribution of this article. In close consultation with this organisation, and, I am glad to say, with the fullest co-operation of this organisation, Provincial Governments are advised and asked to set up some sort of rationing, not exactly on coupon, etc., methods, but on certain well known principles and system under which this article would reach the most essential consumer. Several Provinces have adopted several systems, but we are sure that consistent with the limitations of supply, consistent with the nature of the market and consistent with the nature of the article, the distribution of this commodity is not as bad as one would expect under war conditions.

Now, Sir, about Prices: Sir, as early as December, 1939, the Government of India realized that the price of kerosene will be one which will evoke public attention sooner than later. It was possible for Government, after carefully examining the situation, to adopt measures to control prices on the basis of certain increases in the cost of production. I feel sure the House will agree that the Government of India had taken firm action under which speculative factors were not allowed to play. Prices have been kept at a level which, I believe the House will agree, in the present circumstance is fairly reasonable. The Government of India make careful examination of the costs placed before them. Prices are fixed with their concurrence from period to period, generally for six months at a time.

Sir, I will now proceed to give my story about standard cloth. As early as September, 1941, when there was no public demand for standard cloth, and I venture to say the name of the standard cloth was not even mentioned in any way, the question was raised by Sir Ramaswami Mudaliar at the Cotton Textile Conference at Bombay. He indicated that sooner than later the Cotton Textile industry will have to be prepared for the manufacture of standard cloth and supply it at a fairly reasonable price to the consumer. It was agreed that this kind of cloth could be manufactured and supplied provided there was reasonable public demand. It was agreed that Government could not accept financial risk involved if there were no genuine demand. Sir, this was in September, 1941. Then, within a fortnight, the Honourable the Commerce Member placed the case for standard cloth before the Price Control Conference and representatives of all the Provinces, who were present at that Conference, were invited to state their wishes. The whole case was explained. It was also explained that the distribution of standard cloth might have to be undertaken by Provincial Governments. But in view of the situation at that time Provincial Governments' representatives did not think that the standard cloth should be manufactured and put on the market immediately. They evinced no enthusiasm for the supply of standard cloth at all.

Dr. P. N. Banerjee: (Calcutta Suburbs: Non-Muhammadan Urban): Did the Provincial Governments say that?

Mr. T. S. Pillay: I may now digress for a moment. It has been said that the manufacture of standard cloth might affect the central finances adversely and hence the Central Government was apathetic. Sir, I must say in view of certain allegations made in this House the other day that the Honourable the Finance Member categorically said at the Conference, I have referred to that, he was not interested in cloth prices; if the Mills sold them cheaply and thus earned less profits he would be content to take his share. Only if they actually made Excess Profits he would claim his share. As I said before, Sir, Provincial Governments from whom we wanted to know whether there was any genuine public demand for this kind of article, indicated that there was no general demand and there was no likelihood of the scheme being accepted. What did the Government of India do? They did not rest there. They suggested that there should be further examination of the scheme. Immediately a second

[Mr. T. S. Pillay.]

Conference of the Cotton Textile Representatives was convened in January, 1942. The Conference briefly came to the conclusion that under the then circumstances they would be prepared to devote 5 per cent. of their productive capacity to the manufacture of standard cloth. They would be prepared to deliver this at nominal profit to Governments concerned who on their part should be prepared to make adequate distribution arrangements so that this cloth actually reached the consumers. Soon after this agreement was reached the Commerce Department appointed two technical committees to go into the question of standard cloth and also to reach an agreement as to the prices for which this cloth had to be sold. Sir, these two Committees were quick in their work and again the scheme was put forward before Provincial Governments and samples of standard cloths were also placed before them in April, 1942. The response was not encouraging. Despite a great deal of correspondence as regards various matters only a few Provincial Governments placed orders under the scheme then propounded and expressed willingness to undertake distribution to consumers within their own areas. By this time it was November, 1942, and it was thought by many that when a scheme of this character was not accepted and adopted on an All-India basis it was not likely to serve the object for which it was created. In spite of all these difficulties the Central Government considered that they thought it necessary that some amount of cloth should be produced and placed in the market. In November, 1942, special steps were taken to convince the industry that in spite of the deficiencies of the scheme and as it was, though about 70 per cent. of the Indian Provinces did not accept the scheme, it was incumbent on them to manufacture the standard cloth already asked for by some provinces.

Well, Sir, they agree to do so, be it recorded to their credit, and as it has been already announced in the opening speech, I believe, of the Honourable the Commerce Member, certain orders are being executed and distributed to certain Provinces. The Central Government at this stage realised that it is not enough to go on putting the scheme on a sort of voluntary co-operation from certain Provinces and also certain features that were then a part of it. They held two further consultations with the industry and it is now more or less settled that on the side of manufacture, the industry would devote as much as 60 per cent. of its productive capacity, if necessary, to manufacture cloth to the order of the Supply Department and/or of the Commerce Department, for standard cloth. That is the agreement which they reached willingly and voluntarily at the conference held at Bombay on 30th January. As regards the question of price, they agreed that the price should be fixed quarterly by the Central Government on the advice of the representatives of the industry, and the price fixed will only take into account certain features which go to increase the cost of production. Sir, some Honourable Members, I believe Dr. Sir Zia Uddin Ahmad mentioned the other day that the prices are being fixed by the industry itself and that they are quite happy about it. I do not know whether they are happy, Sir, but I know that the prices are not fixed by the industry, but that the prices are certainly fixed by the Central Government. That applies both to the price of standard cloth and the price of cloth supplied to the Supply Department, ordered by the Supply Department for war purposes. I may tell the House that the Honourable the Finance Member's very watchful watch-dogs are always present at the panel meetings and they see to it that no price elements which are not justified by the factors which we consider reasonable are allowed to be included in these prices. As regards qualities, we have also taken into account, that on the plea of standard cloth, cheap cloth of inferior qualities are not passed on. There is a specification Committee at which the experts of the industries and also experts of Government are associated, and the specifications are so framed as to make the cloth durable, if not exactly attractive.

Now, Sir, one further point. The Central Government have also taken the entire responsibility to purchase the cloth from the mills for which they place

orders and then to make allocation of these to the Provincial Governments who are willing to participate in the scheme. It has also been arranged that the distribution arrangements should be made up in various places in such a manner as to satisfy the Central Government that the cloth actually reaches the consumer at the prices scheduled.

Sir, I have nothing much more to add to the citation of events I had given so far. We have already appointed a Standard Cloth Commissioner who has taken charge of his duties at Bombay. He is busy arranging for the manufacture of about 50 million yards of cloth which we hope to allocate to various Provinces in the course of a month or two. We had hoped that with the co-operation of all who are interested in this scheme we are well on our way in solving this most difficult problem.

Before I close, I only want to refer to one point which my Honourable friend, Mr. Jamnadas Mehta, referred to the other day. He referred to a certain correspondence between an Ahmedabad Association and the Honourable the Finance Member. That correspondence had been with the Commerce Department. A certain Association at Ahmedabad had referred to certain alleged repudiation of contracts by the Ahmedabad millowners about certain contracts for delivery of piece goods. The matter was investigated and as far as my present information goes, it referred to certain contracts between two private bodies. Government consider that, as at present advised, it is not for them to interfere in the contractual negotiations between two private parties. Sir, I wish to close with a word of appeal that in these matters of production of cloth, of distribution of kerosene, and all such matters that affect the social economy of the people, it is not the Defence of India Rule, it is not certain governmental authority that can secure adequate results, but it is the willing co-operation of people, and the appeal and association of Members of the Legislature who are here to the various people, to help Government in securing the objects, that will serve more than mere demand that certain coercive measures and that certain coercive action should be taken. We in the Commerce Department are keen to help and do our best and shall appreciate, at all times, any constructive suggestions offered.

Mr. President (The Honourable Sir Abdur Rahim): I might mention to the House that notices of three amendments to this motion were given, but none were moved. It was the duty of the Honourable Members who gave notices, if they wanted to move these amendments to rise in their places and move them immediately after the motion was made. I am rather doubtful that to a motion like this, any amendment can be moved. The motion merely wants that certain situation should be discussed and, therefore, no action is to be taken. Anyway, I do not wish to give any ruling on this point at present, because it is too late for any amendment to be moved now.

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgris: Muhammadan): Sir, as one of the Members who gave notice of an amendment, I submit that I was told that as notice was not given of the amendment before the motion itself was moved, this will be held not in order. That was why I did not move.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have, at any rate, made an attempt to move it after the motion was moved. It cannot be moved now, at any rate.

Mr. C. P. Lawson (Bengal: European): Sir, this debate coming into the third day has covered a very wide field and I could have wished that its scope has been rather more limited so that we might have come to less diverse conclusions and possibly have supplied the Honourable Member for Food with some more definite suggestions. I propose in the few remarks that I have to make today to deal with that particular side and in particular with the recommendations of the Central Food Advisory Council which might well have formed a basis for a debate of this nature. This Advisory Council put forward a number of very useful suggestions to Government and equally pointed to a number of deficiencies in the make-up of the food situation which require very careful attention. In the first place, I cannot see how the Honourable Member for Food can possibly know where all his produce is going unless he has reasonable

[Mr. C. P. Lawson.]

statistics before him to say how much he has got to account for. In this respect, I would like to quote the Royal Commission on Agriculture. In April, 1928, the Commission gave it as their opinion that agricultural statistics were admittedly often mere guesses and not infrequently demonstrably absurd guesses. Even, today, Sir, Appendix II of the Government of India Crops Statistics published in 1942 describes Bengal figures as "more or less conjectural". It points, I think, to a somewhat serious situation that at this stage in our evolution in India and indeed at this stage of the war, it should be necessary for the Advisory Council to point out to the Government of India that there are really no reliable and correct statistics upon which to work.

Now, Sir, some of my Honourable colleagues on this side were questioning the Honourable and Gallant Member for Food somewhat severely the other day on the question of activated sludge. The Gallant Member had to confess to a certain amount of ignorance on the point, but if it is any comfort to him, may I say now that I do not think that my Colleagues were in any very much better position? Activated sludge produced by the treatment of town sewage is certainly a method of fertilising, but the disposal of town sewage is generally conducted through rivers or the sea, because most of our great towns and cities are situated near big rivers or near the sea which will carry away the sewage. Sometimes where towns are not so situated, it pays to treat the sewage rather than to carry out a somewhat expensive disposal scheme. But all organic matter if treated, can by producing bacterial action become a fertilizer. I mention the point principally because on pre-war prices for food crops there was literally no return on any kind of fertilizer, and if any enquiry is to be made into the treating of sewage it will need to be made on the understanding that unless the price for food crops can be kept up, the cost which the treatment of that sewage will involve will make it an extremely doubtful proposition. Indeed, there are several other methods of fertilizing which lie very much nearer to the cultivator. Green manuring, for instance, would probably be far cheaper, unless the sewage scheme was an enormous scheme. In America, I believe, there is treatment of certain sewage, but I think that it has to be a sewage farm serving something like half a million people before it really turns out to be a paying proposition.

Well, Sir, the question which confronts us is whether Government will be successful in encouraging and ensuring a free flow of food grains all over India. It is, in my opinion, very necessary that the normal methods of distribution should be used in the first place. If Government attempts to substitute the intricate avenues by which food reaches the people they will undertake an extremely large job. In the first place obviously it is up to them to try and get normal avenues working, and working as freely as possible. Now, how can this free flow be ensured? The Advisory Council made certain recommendations in this respect, but the recommendations were by no means exhaustive. They pointed to the fact that publicity was necessary. They said "that all measures be taken by the Central Government that would operate to restore public confidence and in particular the true facts concerning army consumption, of food stocks, the amount of reserves, and the degree of deterioration." Certainly, that should be made known, but other things should, I think, be made known also. The first point that, I think, the Government should make absolutely clear—and I am glad to see that the Member for Food has already been undertaking these publicity endeavours by press conferences and so on,—the first point to be got over is that unless sellers exercise their function of distributing their stocks, Government will compete with them. As soon as that point is generally known and is clearly understood I think that sellers will get on with selling. They would naturally get the best price they can but they will not hold up the stocks. And may I here just give a tip which may possibly be teaching my grandmother to suck eggs but which I have always found to be very effective and that is to keep what I might call a mobile reserve in hand and whenever a district is found to be short of stuff because the dealers are not operating properly, to send down a substantial consignment of the stuff of

which they are short and flood the market. If the dealers hold up their stock they deserve to be put out of business and they know that Government can put them out of business.

Crop statistics should certainly be made known. The effect of new sowings on the price of a crop is invariably very effective. If your gram prices are high, the information to the effect that the sowings of that particular crop are far above normal almost invariably leads to a drop in prices, and provided that information can be got round and got round quickly fresh sowings are an additional factor and a factor which, I think, has not been made sufficient use of. The large *rabi* sowings this year have not been advertised to the extent that they should have been advertised. Crop planning, of course, should be publicised and uneconomic crops discouraged. The enormous production of *gur* in this country—I think I am right in saying that only about ten per cent. of the sugarcane grown is finally used in the production of white sugar—is a most uneconomic method of producing sugar, and often the type of sugarcane grown in Bihar and elsewhere is growing not in its indigenous country and takes far more out of the soil than the soil was ever intended to give it. I will doubtless be told that these are matters for Provincial Governments. Indeed they are, but I suggest that it all brings home to us how much some co-ordination between provinces is required. We are now faced with a war situation where we find ourselves a very little short of normal consumption (not as short as we have been in a number of previous years) but we face it with no co-ordination between the provinces and I suggest that Provincial Agricultural Departments have gone to sleep. They are not active; they are not in a position to get their propaganda round and to make their reciprocal arrangements so that the emergency is met: If it is necessary to produce an emergency before there is any central co-ordination, the argument equally applies in the case of normal economy. Had there been any kind of central co-ordination and reciprocal arrangements regarding crops between provinces, there might not now be this immediate war difficulty and equally there might be some more economic arrangements for the production of crops among the provinces.

Now, Sir, the points that I put forward, I put forward with the intention of indicating means whereby the free flow of food may be induced. But as I know from experience, the Honourable the Food Member has to deal with some pretty hard nuts. He has to deal with the middle man who has adopted a "bull" policy and he won't drop it very easily. Once people run into stocks, it is a very difficult job to get them to start unloading. If a free flow cannot be assured, what are we to do? There are, of course, constitutional means whereby the Centre can impose its will upon provinces and force them to disgorge. Penalties should be standardised on a very high standard and should certainly be made public in every possible province. It may be disagreeable to resort to the common informer; but, if necessary, information regarding stocks of food stuffs must be obtained by people who will be rewarded for giving that information. And above all, if we are faced with this situation, Government must come into the market and compete with the seller.

Another point which I think would help the situation very much, but is possibly rather more remote than the points I have mentioned, is that if we could only get the people into the habit of exposing the profiteer instead of paying his price for fear they will not get supplies, the situation would be much better. The trouble is that when something starts to be short and an excessive price is demanded, although the buyer knows that that price is unreasonable, he will pay it because he says that "this is so short that if I do not pay his price he won't sell to me next time. He will say he has not got it". That can only be dealt with in the first instance by making it absolutely clear that the food is there and that they will get that food: and if they can be convinced of that, if the buyers can be convinced of that, it is possible that we may get them to come forward and to give evidence against the profiteer. I say it with all diffidence because I know how difficult it is from experience to

[Mr. C. P. Lawson.]

get information of this nature: but unless there is that feeling that they will get the stuff, the situation then becomes hopeless. Even the smallest consumers are well considered when a situation like this arises. Even if a small village is confronted with a situation in which the normal dealers are holding up supplies, I think it pays to make special arrangements for that small village. My reason is this: that the news gets round very very quickly that such and such a thing has been done, and the dealer thinks twice before he does it again. I have indeed had experience of a certain commodity in which, although dealing entirely on wholesale lines, it has been found worthwhile to sell retail to small consumers, so that the larger dealer who was holding up supplies got frightened and started to let his supplies go. My point, therefore, is that once again the mobile reserve comes into action and can be shot to any point where there is holding up of supplies for the people.

Now, Sir, that brings me to the end of my time, and may I say that while we naturally regret the delay that there has been in taking up this matter vigorously, I am myself convinced that it is now being attacked with vigour, and I should like to congratulate the Member for Food on the publicity that he is giving to the steps that Government is taking; I should like to congratulate him also on the immediate success that appears to be attending his efforts.

Mr. H. M. Abdullah (West Central Punjab: Muhammadan): Sir, I rise to take part in this very important debate to voice the feelings of the wheat growers of the Punjab. At the outset I have to say that I regret that the Central Government have always tried to help other interests and have consistently overlooked the welfare of the peasants, who are the backbone of the country. They always try to pumper the millowners and the industrialists but ignore the needs of the agriculturists. The one obvious reason is that the agricultural classes are not well represented in this House and the subject of agriculture is the sole concern of Provincial Governments. But as the agricultural classes form the majority of the population in the country, it is the duty of any Government who claim to be representative and democratic, to pay special attention to the betterment and advancement of the rural people, who are very loyal to the Government. It was rather very unsympathetic on the part of the Central Government to have controlled the wholesale price of wheat. Their action did harm to the poor cultivator, who was required to dispose of his crop at a very uneconomical price, whereas nothing was done to procure for him his necessities at equally cheap-rates. Sir, I am glad that the Government have at last realized the unwisdom of their action and have abolished control on the wholesale price. One beneficial result of this removal has been that stocks of wheat, which were hoarded, have started flowing into the market. The Government agents who could with difficulty purchase 8,000 tons have now been able to procure 60,000 tons of wheat. Sir, I am sure that Government will not listen to the counsel of those who suggest the reintroduction of wheat control. I admit that after the removal of control on the wholesale price of wheat, the price of wheat has gone up. But it is now showing signs of a downward trend. If left to the natural law of supply and demand, it will come to Rs. 9 or Rs. 10 a maund, which will not compare unfavourably with the price of other commodities that are required daily. Thus, there will be no necessity for imposing any control on wheat. Control will again lead to the hoarding of stocks. The cultivators are finding great difficulty in purchasing their cloth and agricultural tools. Nobody in the House has so far suggested that the price of agricultural tools should be controlled. I do not see why of all commodities, wheat should be singled out for control. Although the price of rice which also forms the staple article of food of the people of some provinces is soaring high, no steps have been taken to bring it under control. I would, therefore, in the end suggest to the Government that if they want that the stocks of wheat and other agricultural commodities should flow freely into the market, they should under no circumstances resort to control of the wholesale prices, but should leave them

to be adjusted by the natural economic forces. Sir, the best remedy for controlling the purchase and distribution of wheat is that the Government should purchase all surplus stocks of wheat and other grains in the country at the time of the new crop and then distribute them to all provinces according to their needs. As regards the "grow more food" campaign, I would say that although Government have allotted some waste lands to cultivators for growing more food, they have not issued orders to the Irrigation Department to supply more canal water for cultivating those waste lands. Without water it is not possible to grow anything on such lands. I am sure that Government will soon write to the Provincial Governments to supply canal water for irrigating waste lands for growing more food.

Before concluding my speech, I would like to invite the attention of the Government to one more omission on their part. From the statement laid on the table of the House in reply to a question, I have discovered that the zamindars are not generally invited to attend the wheat conferences which are convened by the Government to consider the wheat situation. In this way, their views are not properly placed before the Government. I am sure that in future conferences Government will see that the wheat growers of the Punjab are well represented.

* **Mr. Lalchand Navalrai** (Sind: Non-Muhammadan Rural): Sir, it appears to me that this is a most important subject—its importance cannot be underrated: it is more important even than the political deadlock, and there ought to be more sympathy from the Government side on this. We have discussed this for three days and several Members have expressed their views, and shown the extreme necessity of meeting the demands of the people in this scarcity. The Honourable the Commerce Member, who is not now in the Executive Council, has given some of his views; but I find no definite policy or statistics were given to us and I do not know to whom to appeal to now. I do not know who will come forward to tell us the definite policy of Government on this subject and also statistics as to how much food they have got and are going to give to the people. There should be no carelessness in the matter. It cannot be denied that there is an intense scarcity of food stuffs, coal and several other commodities in India. I was very sorry to find that the British Cabinet represented by the Secretary of State is not merely not sympathetic but most apathetic. It was adding insult to injury when Mr. Amery said in the House of Commons that there is no widespread scarcity or acute shortage. Is this the condition under which we are meeting? Is this the way in which the Secretary of State should deal with the people of India? It shows sufficiently the heartlessness of outlook under which we are working. But in respect of food he is even more heartless. He ought to show that people can live without food—that he himself can do so first. What has the British Government done to help the Indian Government to meet this very critical situation? Scarcity exists not only in the urban areas, as was said by the Government of India the other day, but in the rural areas as well. The people in the rural areas are crying and demonstrating how the scarcity is there, how they have not got sufficient wheat or other commodities, like coal, etc. I come from a rural area myself and I know how things are in Sind. There was an unprecedented mishap in Sind—breaches which led to much of the land in upper Sind being inundated and the crops were damaged, nay destroyed. Because of this, the district officers there thought of introducing the ration card system. But how has it worked? The Government should consider whether the system should work in the manner in which it is now working. We get ration cards for wheat: one is allowed about $3\frac{1}{2}$ seers of wheat every week, some sugar and some coal. But what happens? We take the ration cards to one of the four shops that have been established there. When we go to these shops what do we find? We tell them, we want wheat. They say, not available to-day. All right, we go the next day. They say, 1 P.M. we will give you only sugar to-day. Very well. We go the next day. We are told this is not your week day, come the next week day. When

[Mr. Lalchand Navalrai.]

we go on the next week day, what are we given? We are given only that week's ration, and not the previous week's and we are told we have thus lost the previous week's quota. Who is to blame for this? Is this the rationing that was going on in Russia? No. It was well regulated and was well worth being tried. The rationing is not being properly tried here. Regarding rural areas, in even the Indian Princes territories I find this. In the State of Sangli it is said:

"About 2,000 to 3,000 ryots from Kavalpur and the neighbouring villages marched to the Assembly Hall to-day to see the Raja Sahib of Sangli State and placed before him their grievances about shortage of food supply in their villages and requested him to arrange for food supply as early as possible."

This is sufficient evidence about the state of affairs in rural areas. Therefore, Government should not feel complacent and think that they have only to deal with urban areas and not with rural areas. It is the rural areas that should first of all be attended to; otherwise, there would be no production. The cultivators cannot cultivate or grow any food if they have not got anything to eat. Where did all this production of India go which has always been self-sufficient—not only self-sufficient, but there have been exports as well? Government lays the blame upon the people and say that people when they saw that Japan was trying to make war on India lost their confidence, naturally. Even the Government lost confidence, even the military lost confidence. The military hoarded beyond their needs. Even Government officers thought that they might not be able to get food and, therefore, went on keeping something for the rainy day. Therefore, the fault is as much of the Government as of the people. Government should have assured people, not to be frightened, not to hoard or do anything of the kind. Did they do that? No. On the other hand, they themselves set an example in hoarding and they were exporting outside. They have done all this with a short-sightedness. Now, there is no use quarrelling about that. What we want to know is, how are you going to meet this situation? We want a definite policy on the part of the Government. It is no use saying, rest assured we will meet it. These assurances will not restore confidence at all. A man who wants to have food cannot wait for it indefinitely. Mahatma Gandhi can wait, he can fast for many days, but we are not all Mahatma Gandhis and so, as far as the ordinary people are concerned, it is the duty of the Government to make arrangements for them. And they have not shown upto now any definite policy, though for the last three days we have been discussing the question. The Commerce Member said that there was deficit of rice, there was a deficit in wheat. So far as wheat was concerned, the Honourable Member said he could not give definite figures because it was only at the end of February when the produce was stored that they could find out the statistics. Until then on what basis can we say that the Government will be able to supply wheat which is their duty? So far as rice is concerned we do not find that any remedy has been suggested or that they are importing from anywhere. So far as wheat is concerned, I think an assurance has been given that they are importing from outside, but did they say, from where, how much and whether it will be sufficient.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Can the Honourable Member suggest where from we could import rice?

Mr. Lalchand Navalrai: I am talking of wheat.

Mr. J. D. Tyson: The Honourable Member was referring to rice.

Mr. Lalchand Navalrai: I say with regard to rice also there are serious deficiencies. So far as wheat was concerned, the Honourable the Commerce Member has not given us statistics and he has asked us to wait till the end of February. In the meantime he said that wheat is going to be imported. Wherefrom it is going to be imported he has not told us. Meanwhile I find that the Jain Sahib, when he returned from England, in his speech made here, has said that the British Government discussed this question of Indian food, the shortage of it and agreed to provide the necessary shipping for transporting several lakhs tons of wheat. Where is that? What has the Government done to ask

the British Government to do so? Why have they waited? My question is a definite one, whether they have asked the British Government to come to their rescue and in that way and see that several lakhs tons of wheat are imported into India? That has not yet been done and we are waiting for that. There ought not to be mere lip sympathy, there must be substantial help, and that help we can get only from Government. We cannot go round to each Provincial Government and ask, what help are you giving, how much production will there be in your province and so on. The Central Government, when it sees that there is some wheat or rice extra at a certain place, comes forward and orders the Provincial Government to send some wheat or rice to other provinces. All this should be done under a definite policy. The policy should start from the Central Government. We should know it and when we see that anything is being done against it, then we will be in a position to blame the Government and come forward to advise that that should not be done.

Coming to the question of control, I am entirely 'against complete removal of the control. If you remove the control what happens? You give a blank cheque to the traders to sell at any price they please. Should Government do that? Government has already experienced its effects. In the beginning, long, long ago when we asked that there should be control, did Government do anything? No. In this very House we asked that there should be no control but it was not done. They have now thought fit to remove control. I have no objection if the control is removed, but do not give liberty to these people to do as they like. You must appoint your own agents or your own officers to see that at any rate the prices do not go beyond a reasonable limit, and put a check on the rising prices. What have you done with regard to that? Two provinces have not yet removed control, because they fully see that there the prices would at once rise and rise so abnormally that the consumer and even the grower will suffer. On that point also, there should be a definite policy of the Government and control should not be removed without proper safeguards, as otherwise it would be harmful. I do not think that any Member of the House would suggest that a free hand should be given to the traders.

Coming to the coal question, it is not only in Delhi that we do not get coal. Even in places where there is card rationing, we do not get coal and Government have done nothing. So far as coal for Delhi is concerned, I have come to know that the Controller of Coal in Calcutta used to distribute the coal in Delhi and it was supplied directly to the persons who were dealing in coal here. They were called the depot holders. That system was going on very well. Government interfered with that. They thought that if they got the coal booked from Calcutta and then distributed it in Delhi, that would be better. In my humble opinion, it is not better at all. What has happened? We find that the Chief Commissioner of Delhi has taken the whole thing in his hands and created a syndicate called *Banyan*. The whole of the coal goes under the control of one or two *banyas* who form this syndicate. This private agency first of all supplies to the mills. That is the information I have got and it is for the Government to reply on that point.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Lalchand Navalrai: Then, Sir, I would say that Government should place before this House a definite policy and let us know how they are dealing with this important and delicate question.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division: Non-Muhammadan Rural): The most important problem that has cropped up today is the food problem. Food being life, it is the problem of life, which we have been discussing for three days. In this country of ours, 160 years ago, we had eight maunds of rice for one rupee and today we are getting two seers per rupee. That means in 160 years we are paying 160 times more. The present situation is now drawing the attention of every one. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Sir Henry Richardson (one of the Panel of Chairmen) in the Chair.

Mr. Amarendra Nath Chattopadhyaya: Mr. Chairman, I made an observation before the House adjourned for lunch, that 160 years ago, when the powers were being transferred from the Muslim Rulers to the British, our motherland was practically the shelter of all western nations who came to India in quest of food. In Bengal, when the satrapy was practically on the point of insolvency and when the finances had collapsed, the last Muslim Ruler was asked to export rice from Chittagong but he refused. He said he would not export rice until his subjects had eight maunds of rice for a rupee, which means 320 seers for a rupee. Today the same province is getting rice at two seers per rupee. It is not because of the present emergency or because of hoarding but it has been caused by a policy of exploitation and exportation for centuries. Sir, the present situation requires very drastic steps. We have neglected the peasantry for very many years and, therefore, the production of foodgrains has dwindled down to a very small quantity as compared with the previous productivity. Land has lost its fertility and the peasantry has become weak. So, when the Honourable the Commerce Member started the "grow more food" campaign, we welcomed it. But this campaign could not be successful if it was not well organised. A good organisation was required if the Government of India seriously meant to grow more food. By simply advertising in the papers, it would not be possible to grow more food. The peasantry has lost all impetus to grow more food because they have been exploited all along. They were the primary producers of wealth and they had been impoverished. All the money has gone to a few capitalists, the zamindars, the merchants and the commercial people and the poor peasants have been denuded of all their wealth. Consequently, in order to give an impetus, a new legislation should have been resorted to and must be resorted to even now. Unless Legislatures legislate to give them the ownership of the land, they cannot really get that encouragement to go back to the land and labour hard with heart for it. Without some sort of change in the land legislation and in the revenue system, you cannot make the peasantry work with their heart and soul to grow more food. Before we go into the question of hoarding or shortage or transport or take any drastic measure, we should first think of organising the whole show.

First of all, take the question of procurement. If we want to procure all that has been stored, we must have an organisation based on the theory of making the whole of India as one unit. The Central Government must take up the responsibility of co-ordinating all the Provincial Governments with the Centre, so that the Centre can guide all the Provinces in the matter of organisation. In addition to the Central Advisory Committee, the Central Government should have a Standing Committee on Food consisting of non-official legislators and there should be similar Standing Committees on Food in the Provinces and they should be linked with the Central Standing Committee on Food. Not only that, they will have to think also of organising the provinces district by district, decentralising the whole organisation so that there may not be any possibility of corruption. If one man is allowed to purchase for the whole of the province, there may be corruption. Therefore, the purchase should be distributed to several agencies and these agencies should be under the Standing Committees, and after the purchase, stores should also be set up district by district in every province. This will involve a certain amount of expense, but the problem is so important and the solution of it is so urgent that the question of expense should not stand in our way. If at this critical juncture people do not get food and if we cannot supply food to the people who are fighting, the whole war effort will collapse, which is not desired by anybody. Therefore, first of all, the organisation should

be taken up at once, before going into the question of freezing the hoarded stores or penalising the hoarders. Having completed the organisation, the Government might think of finding out the stores wherever they are hoarded. Hoarders are the worst criminals today. Those who can think of keeping food for themselves or for their profit at the cost of millions of starving men all around them, are unpardonable sinners and criminals. They require to be punished: but by merely punishing the hoarders Government cannot give food to the people. They will have to make arrangements for distribution, and will have to make food supply squads. Sir, with a view to making a successful organisation the officials and non-officials must co-operate. If there is no co-operation between them, unfortunately, the whole effort is bound to fail. Consequently, there must be an appeal to the people who are ready to co-operate and then, to all social service institutions of the country without any difference in the creed and community. All these institutions which are ready to co-operate with a view to help the people to get their food must be invited by Government and those political parties who are already working and who are working to help in the war effort should be taken into confidence and should be given the opportunity to organize. Sir, it is not at all impossible to organize this distribution of food if Government take it up seriously. By organizing the food supply squads in the districts in the provinces with liaison officer between the Provincial Governments and the Central Government, I believe, they can solve this question within a few days, and having those parties who are already co-operating, like the Communist and Radical Parties, and who are already working for setting up some co-operative societies in some districts in the United Provinces and some other provinces, I believe, Government can get the whole country organized and the food problem solved in no time. After that if the hoarders do not come out with their stores, then will come the question of freezing them and penalising them. It is not by penalising or freezing of hoarders that you can solve the problem, as without organizing the distribution the whole thing is bound to fail. Therefore, first of all organize yourselves, then serve short notice on those who are suspected of hoarding, so that they might come out with their stores, and then invite the distributors to take up the matter of distribution. Mohalla Committees may be formed for the convenience of customers and they should take charge of distribution. There should be no question about specialising somebody with licence. Those persons who are already trading should be permitted to carry on this work. With regard to control, I may say that the control of prices so far as purchase price is concerned, is not so much necessary as the control of prices for retail, because if the retail prices are not controlled, the controlled wholesale prices will be of no use. By controlling prices at the source and not controlling prices of retail sellers, Government will not be able to solve this question. The retail sellers will go on increasing prices. They cannot be prevented by this sort of control. Control there must be, because without control, the capitalists and those who are big financiers can make profit. Profiteering must be stopped. With a view to stop profiteering control of retail sellers' prices must be there, as without this the whole effort for solution of this problem will fail. We have lost three years without taking any effective steps about this food problem. We cannot lose even single moment now without coming to a certain decision and without coming to a certain policy and without coming to a certain programme. This decision, this policy and this programme, should have the acquiescence of this House and of the public as a whole, so that co-operation may come without being asked for. People are feeling the pinch of this want of food at every stage. Those who can afford to purchase from the black market may not be feeling it too much: but the poor people and the middle class people who are earning between rupees two hundred and two hundred and fifty or even three hundred cannot afford to live from hand to mouth. They cannot get two square meals. First these people did not feel the pinch but now they are realizing the difficulties in procuring food stuff. Now, if the Government do not take up this question in their hands very early I am

[Mr. Amarendra Nath Chattopadhyaya.]
 afraid, food riots are likely to occur and food riots will run like fire. I am sure Government will not take much time in coming to the right solution of the matter and I hope the Honourable Member in charge of this question, will take up this matter in all earnestness. Unfortunately, the Honourable Mr. Sarker, who had taken up this matter in all earnestness had to go away and the reasons for his resignation are known to everybody. Government have failed to comply with the public opinion regarding Mahatma Gandhi. At this moment if the Government of India had complied with the wishes of the three Members and with the wishes of the public, I think, the situation would have been much better.

Mr. Chairman: (Sir Henry Richardson): The Honourable member's time is up.

Mr. Amarendra Nath Chattopadhyaya: However, I believe, every thing including organisation must be taken up in right earnest.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, the problem concerning food has already become so serious that it requires the utmost consideration of the Government of India. There are several elements which stand in the way of free distribution of the food as well as of the fuel. First is the defective control, second is want of facilities for transport and the third is discrimination. The fourth is export, the fifth is decrease in import, the sixth is the failure of "grow more food" campaign and the seventh and the last is the misuse of the powers of the various Government officers.

These are days when Government should look to the gravity of the situation and they should try to stop exports. Of course, imports of foodstuffs have decreased by 88.7 per cent. Exports of foodstuffs to other countries are still going on. Concerning that, I elicited certain information from the Government, and I got in reply that exports of rice during the twelve months ending 30th November, 1942, were 1,76,576 tons. This quantity was exported to Ceylon only. The quantity of other foodstuffs exported to Ceylon was about 29,000 tons. Taking all together, the total stood at 2,05,871 tons. So far as the export of rice is concerned during the period of the war, ending 30th September, 1942, the quantity of rice exported outside the country is 9,65,555 tons, and the quantity of wheat exported during the same period was 4,43,489 tons. You may very well guess from this what acute scarcity should be regarding our food position.

Government have urged the "grow more food" campaign. I find from the estimate made by the authorities that during the period 1938-39 to 1941-42, there is a decrease of 2,10,000 acres. In 1938-39, the figure of acreage of rice cultivation was 7,33,75,000 and it is now down to 7,31,65,000 acres. As regards wheat, there also I find there is a decrease of acreage. It came down from 3,54,41,000 to 3,39,79,000 acres. There also there is a deficit of 14,62,000 acres. I find that for the year under report, 1942-43, the wheat cultivation is estimated to be about 7,17,00,000 acres. But on the contrary I also find that the Honourable Sir Jogendra Singh's estimate is 7,56,00,000 acres under wheat cultivation. I cannot say what are the factors which comprise his estimate. I find that generally this information is collected through the agency of village chaukidars and we do not know how far their information can be relied upon. That is for the consideration of the House. However, the "grow more food" campaign is also proving a failure. The Central Government should grant some subsidy to the Provincial Governments and unless the poor cultivators are given something out of those subsidies, it would not help them to increase the fertility of the soil under cultivation. The total export made during the period of the war, ending 30th November, 1942, comes up to 14,74,727 tons. So the country is on the verge of starvation now. I think the sooner the export of food stuffs is stopped, the better for the country.

The other day I urged in a Resolution which I moved that textile export should be stopped, so long as the needs of the country are not fulfilled. The Honourable the Joint Secretary of the Commerce Department who has spoken

on behalf of the Government just a few minutes before pointed only to the necessity of kerosene and standard cloth. As regards standard cloth, I want to tell him that it has not yet reached the Provinces. Do you know what is happening in the Provinces and in the interior? The Government officials of high standing compel the cloth dealers to pay large sums, say of Rs. 1,000 and over, for war contribution before they could be given license to deal in standard cloth. In my own locality and elsewhere I found this. The result is that the cloth merchants refuse to deal in standard cloths. The same thing is going on with regard to kerosene also, and also other necessities of life. At every stage, war contribution is levied. You may very well consider that the licensees who pay large sums as war contribution pass them on to the purchasers, the consumers, otherwise they cannot make good the war subscription which they paid before getting their licenses. I submit these things should be stopped.

About price control, I want to cite the instance of the local place, Delhi. As soon as we, the Members of the Legislative Assembly came here, we could not get coal, or wheat flour and we were forced to rely on the hotel food, no matter whether it was bad or worse. It is said that rationing system will be introduced. Here there is already a petrol rationing system. We are given

our quota. Do you know what happens when we ask for coupons? 3 P. M. I sent a note to the rationing authority; they sent words that the Member must come before them and then he will be supplied. That is how they deal with us. You can well imagine, Sir, what will be the condition of other people in this country when they know that; after all, we carry some importance. I have told you how we are ignored. In everything the Control authorities are making discrimination. Sometimes in the mofussil *purzis* are issued and when people belonging to certain communities, say Muslims, go, the dealer refuses to give any ration.

As regards transport facilities, I say that my Honourable friend, Mr. Neogy, has exposed the hollowness of this system very well. I cannot see why the Government is in favour of giving higher percentage of profits to the dealers—to the licencees. As regards coal, it was pointed out that about 28 per cent. profit was allowed on coal by the Government to the local coal dealers. Is it the time for any dealer or any licencee to make such a heavy profit? Large profit is rampant in all spheres of the food supply activities.

My Honourable friend, who has just spoken before me, has made certain suggestions regarding the system to be introduced. I think that there is some force in it. We may dispense with trading agencies as far as possible; it will be to the interest of the people of this country. I remember last year Government of India fixed the price of wheat at five rupees to a maund but the Punjab Government purchased at the rate of Rs. 5-8-0 per maund within their province. Is it the co-operation or co-ordination between the Central controlling authority and the Provincial Governments? If such a state of things will continue, God knows where this will lead the country to.

I would like to add one point more: Government fixes certain prices, say at the beginning of the harvest season or just after the harvest season. The dealers as well as Government agencies purchase almost the whole stock of food—rice, wheat and other necessities of life—at a price then fixed. I have just said that the price of wheat fixed by the Government at the beginning of last year was rupees five and now after the purchases have been made by the various Government agencies and the trading agencies it has come up to Rs. 10 per maund. And even at that rate we are not able to get any wheat here. But as you see, the original grower—the cultivator—who took all the trouble to grow the crop got Rs. 5-8-0 per maund in the beginning, and now the middlemen are getting more than double the price. Is there any system which will benefit those poor people who grow more food? Unless they are encouraged, I do not think they will take much pain to grow more food. A measure, I am afraid, is going to be introduced very shortly under which the cultivator shall have to give away all the surplus food grains to the authorities, retaining a small

[Maulvi Muhammad Abdul Ghani.]

portion for their own family consumption. But if they have to surrender the surplus at a lower price, they will surely be discouraged to grow more food in the country. Efforts should be made in this direction to see that the price once fixed remains at the same level throughout the year, and in the fixation of price due regard should be given to the state of things which may prevail at the end of the harvest season, so that the cultivator may also get some benefit and may be encouraged to grow more food.

I agree with the suggestion made by the last speaker that there should be a committee of the Central Legislature here as well as in the provinces and all the local political institutions like Congress and Muslim League which have influence over the masses should be given effective representation in matters of arrangement and distribution of food grains and fuel. The trading interests should be discouraged as far as possible and unless this is done, I am afraid, that any system, howsoever hard, which may be introduced by the Central Government, will lead to nothing but failure.

Rai Bahadur Seth Bhagchand Soni (Ajmer-Merwara: General): Sir, I have read with very great interest the publication of the recommendations of the Central Food Advisory Council. It is generally felt that if the Government of India will adopt these recommendations, an entirely new era of food administration will commence in our country. It is gratifying to see that the Central Food Advisory Council has specially stressed that central control and co-ordination is most necessary and that the Central Government should be the sole authority in the country, to exercise the statutory powers necessary to ensure a common plan for the solution of India's food problem.

I do hope that the Government of India will with all its concentrated energies assume this central control, for I am sure that in a total war, a central control alone can solve the most important problem of food, which is so essential for victory.

Being the sole representative of Ajmer-Merwara, it is my duty to draw the attention of the Government of India to the deplorable food position of my province, which is a Centrally Administered Area, directly under the Government of India, who should consider it as their special responsibility. Under normal peace time conditions, Ajmer-Merwara has to import 84 per cent. of its food requirements from neighbouring provinces and States, whereas only 16 per cent. is grown locally. The population is about 5½ lakhs and not less than 67,000 persons out of the total are workers and dependants of the B., B. & C. I. Railway and chiefly of its workshops, so essential for war transport and other important war work. Normally, the consumption of food grains was about 7½ lakhs maunds yearly, of which one lakh twenty thousand maunds were grown locally in the best case, apart from the many years of drought and famine. I am sure that a detailed survey would reveal rather worse figures than I have just quoted. It is also my duty to draw the special attention of the Government to the peaceful conditions prevailing hitherto in my province, and I am sure, that the half-hearted treatment at the hands of the Central Government would go far in disturbing the peaceful minds of our population. I hope the Government will be the last to allow such an event to take place. It is regrettable that up to now we were not treated fairly by Government: no quota was fixed for us, and after great difficulties we got permits for very small quantities. At the same time, His Highness the Maharaja of Jodhpur and his Government, were kind enough to release some of their grain stocks for Ajmer-Merwara, when we were in an exceptionally distressed condition, and for which we are most grateful. Should a central body be constituted for the co-ordination of an all-India food administration, I trust that my province will not be forgotten.

Concluding, Sir, I emphasise again that my province being a Centrally Administered Area should not be in a worse position than other deficit provinces and that we can depend on the Central Government to look after us.

Qazi Muhammad Ahmad Kazmi (Meerut Division : Muhammadan Rural) :

Sir, this debate on the food problem is completely exhausted and I do not propose to say much except to pay a compliment to the incompetency shown by Government in managing this whole business. Sir, no doubt it is very difficult for us, at least for me, to indulge in any high oratory on economics. But as a layman, what I know of the extreme cases of mismanagement by this Department, I want to bring to the notice of this House. Sir, I know of an instance of a big food merchant, a grain merchant who purchased about 50 thousand maunds of wheat in the Punjab in April last. He had purchased it at different grain centres in the Punjab and the grain was lying at different railway stations. Now, knowing the condition of shortage of grains in the United Provinces, in Delhi and other places, the merchant wanted the permission of the Wheat Commissioner to take away that grain from those different centres. In September last, when I came to this place, I was told by him that he had seen the Wheat Commissioner several times and promises had been held out to him that he would be allowed to export, but no permit was given. I referred him to the Commerce Member, Mr. Sarker, at that time, and the matter was referred to the Wheat Commissioner. About November last I received a reply from the Wheat Commissioner saying that representations made that "I had promised to give him permission was based on a misunderstanding. We never hold out any such promise. We are always reluctant to give permits for the export of wheat from the Punjab to the United Provinces, which normally is considered to be a wheat exporting province itself. Still what I have told this man again and again was only this much, that if conditions become easier in the Punjab then we will consider the question of giving you permission to export wheat from the Punjab to the United Provinces". By that time, I mean September, I was told that about 15 per cent. of the wheat had deteriorated. It was lying in the open and it was bound to deteriorate. This is one of the instances. I do not know if the permit has been given up till now. I do not myself understand the meaning of the words "If conditions become easier in the Punjab then Government will consider the question of giving a permit for the export of wheat". Now, we know the extreme difficulties of getting grain in Delhi and in the United Provinces; and yet the Government allowed the wheat to deteriorate at those stations rather than give a permit. What I have concluded is that this department, unfortunately for us, has been meddling with economic problems without having a comprehensive knowledge of the same, and it is on account of that meddling and dabbling that this mismanagement has taken place.

Now, Sir, I will give only one more example and finish, and that example is of sugar. We know the difficulties in which we have been placed for obtaining sugar. But the House will be astonished to know that places which have been producing sugar have not been able to find a market for the sale of their product. What the Government have been doing is to forbid the export of sugar from the sugar producing districts. What I mean to say is this: that the Government want to force the agriculturists to sell whatever cane they have grown to the mills at rates which have been fixed by them. The mills themselves are not in a position to absorb the whole quantity of sugar which is produced in those districts. The only natural thing for the poor agriculturists is to prepare sugar in their ordinary *desi* way. Now that they can get good prices on account of the shortage of sugar, and they can carry on the manufacture of the sugar in their villages, Government felt that they might come into competition with the mill-made sugar, and there might be some difficulty. The best way they could think of was to prohibit the export of *gur* from one district to another—not merely from one province to another, but from one district to another. Muzaffarnagar and Saharanpur are two adjoining districts, which grow sugarcane in large quantities and a number of the villages in Saharanpur district are near the Muzaffarnagar border than others, as so often happens, and

[Qazi Muhammad Ahmad Kazmi.]

they used to sell their *gur* and *desi* sugar to Muzaffarnagar. What was done was that constables were posted on the boundary line between Saharanpur and Muzaffarnagar and any person who wanted to cross that boundary line could not do so without a permit, which was never granted by anybody. The result was that any person who manufactured *desi* sugar in a village in Saharanpur district was confined and had to keep his sugar in the district of Saharanpur. So far as mill-made sugar is concerned it can be easily stored; but as you know *gur* cannot be so easily stored; when the rains come, it is liable to get mixed with water and to get spoiled. The result was that the poor agriculturist could neither sell sugarcane nor sell his *gur* in the market. Persons in Allahabad itself were deprived of mill-made sugar, *desi* sugar and every kind of sugar. Allahabad is considered and is as a matter of fact the capital of the United Provinces and I do not know what is happening in the villages; but in Allahabad it was not easy for us to get a seer or two of sugar. People sometimes thought that the A. R. P. officer was the agent who had a stock of sugar and wheat and they used to get recommendations for getting a pound or two of sugar or wheat: some shops were opened in Allahabad in Canning Road and I know that persons who went to purchase wheat at the controlled rate had to wait for five or six hours before they could get, if they were fortunate, wheat for even a rupee . . .

Sir Syed Raza Ali (Cities of the United Provinces : Muhammadan Urban) : Make friends with the control officer: that is the best way, you know.

Qazi Muhammad Ahmad Kazmi: We have tried that also, but every officer says "I have nothing to do with it." They know the difficulties involved in friendship in these days of difficulty, and every officer whom you meet says "I was in charge of this only a few days ago, but it has been taken away from me only recently"; with the result that you cannot even find the person in charge. These are the difficulties which persons of position and influence find in cities. Now, what about the poor people who cannot get any recommendation or certificates? What are we to do with them?

These are the problems to be solved. I cannot say whether the Provincial Governments or the Central Government can solve them, because though it is said that the functions of the two are absolutely separate from each other, we do not know in practice where the one ends and the other begins. I want to know what is going to happen to the future distribution of food grains. If the Government are incapable of managing it, it is high time for them to declare that they cannot manage the thing and allow the economic forces to be set free and leave everything out of control and let matters settle themselves. But if you really want to solve the matter, you must know how you are going to do it.

That brings me to the close of my short remarks and I would only ask what is going to happen to this standard cloth, how it is to be distributed. It is not only a question of manufacturing the cloth, but also of its distribution and making it available to the consumer. That is of the greatest importance; and unless that is solved, the whole problem remains where it was. I hope I will be able to hear from the Honourable the Government Member if they have any solution in their minds for the distribution of these controlled things—whether it is sugar or standard cloth or anything else.

Some Honourable Members: The question may now be put.

Dr. P. N. Banerjee: Sir, the food problem is the most important of all the problems with which the country is faced today. My Honourable friend, the Leader of the European Group, remarked the other day that the food problem was the most important problem next to the war effort. I disagree with him slightly and I wish to point out that the food problem is even more than or at least equally as important as the war effort because people must eat first and then fight. Unfortunately, this problem has not been handled by Government with the seriousness which its importance demands. This food crisis did not come upon us all on a sudden, like a cyclone or an earthquake. In fact

the signs of a food shortage made themselves manifest more than a year and a half ago; but the Government were unable to read the signs and to take adequate measures to prevent the crisis. Accordingly the food situation deteriorated. Last year this subject was debated in this Assembly and we all urged the Government to take serious steps in this matter. Since then the food situation has worsened day by day until we have reached the present crisis. For a long time the Government did not intervene at all and when it did intervene the action taken by it was unintelligent and ill-conceived. Crude methods of price control and restrictions on the movements of food grains and other essential articles of consumption were the main features of their efforts and the inefficiency and incompetence of their officers added to the difficulty.

Now, who are the persons to blame in this matter? I do not think we ought to blame this person or that person in the Government entirely, or this department or that department; but we should hold the Government as a whole responsible for the present state of things. The Provincial Governments are also to a considerable extent responsible, but it will not do to throw the whole or even a greater portion of the responsibility on the shoulders of the provinces, because, as we all know, it is only in a minority of the provinces of India that responsible Government prevails at the present moment. The majority of the provinces are being governed under section 93 of the Government of India Act and they are not autonomous. Therefore, the Central Government must take responsibility for their action or inaction, for what they do or fail to do.

The Government have analysed the causes of the food crisis. Some of the causes which they have mentioned are quite accurate, but Government have not viewed the situation with that perspicacity which was expected of them. They have mentioned that the present food position has been due not so much to shortage as to maldistribution. That is true, but how has this maldistribution come to exist? They have not pointed out the exact steps they have taken during the last 18 or 20 months to remove this maldistribution. The Government have pointed out that there have been many cases of hoarding and profiteering. But why did not Government take resolute action in preventing hoarding and profiteering? They have ample powers not only under the ordinary laws of the land but under the Defence of India Act and the rules framed thereunder. Therefore, the responsibility lies mainly with the Central Government and partly with the Provincial Governments. Some of the Provincial Governments have been very selfish and they have tried to prevent the movement of crops and other articles of food and other necessities of life from their provinces. This is not right. India should be looked upon as one single unit and the surplus provinces should not have been allowed to prevent the movement of crops from their provinces to the deficit provinces.

What about the remedies to be applied to the disease which I have mentioned? I would not have dwelt at length on the past, but I have dwelt on the failures of the past in order to point a way to the future. The past is important to us as a guide to the future. Now, what is the attitude of the Government towards the future. They have prepared a scheme, but the scheme appears to me to be incomplete. There are many good points in the scheme no doubt, but it is not quite complete in itself and proper emphasis has not been laid on the different parts of the scheme. To me it seems that this is a subject which should be considered in a well-thought out manner which has not so far been done.

Now, the case on behalf of the Government was made out by the Food Member who has now resigned his place in the Government. He said that the shortage in food was not such as to cause panic or alarm; it amounted only to 4 or 5 per cent. That view may be technically correct, but this will give no consolation to the consumer who goes without food. The food shortage may not be acute, but the food problem is acute. What the Government has to do is to supply the people with food. That is one of the first duties of any Government, not to speak of a civilised government. The Government have pointed out that statistics enabled them to come to this conclusion. We all know how

[Dr. P. N. Banerjee.]

statistics are collected in this country and how defective is the whole organisation of statistics in India. My Honourable friend, Mr. Lawson, of the European Group said that statistics in this country are very inaccurate and it would be unwise to rely on them. I fully agree with him. We all know that there are two important popular sayings about statistics. One is that statistics may be made to prove anything. I do not know whether it is the intention of Government to get hold of these statistics to prove their case in the present instance. There is also another saying that there are three categories of falsehood,—lie, damned lie and statistics, statistics being the worst of these categories. Now, Sir, there may be truth or untruth in this popular saying, but I must say that the collection of statistics which depends on the village chowkidar alone is not satisfactory. Then also, the compilation, the presentation and the use that is made of these statistics are not made on a scientific basis. I am myself a firm believer in the proper use of statistics which have now become the subject of an important science. I was one of the founders of the Indian Statistical Institute, of which my Honourable friend, Sir Edward Benthall, was also an important member and President for a number of years. If we have to rely on Government statistics, the statistics themselves will have to be placed on a sound footing. That is what I urge, but before you do that, you must not rely completely on the figures that are supplied to you by the chowkidar.

Sir, another observation which came from the Government related to price control. The Government now say that price control by itself is not sufficient to meet the food problem but anybody who has any knowledge, I will not say of Economics, an elementary knowledge of the present state of things with regard to the food problem would have told the Government that price control by itself is not sufficient and the method of price control which they adopted was of the crude sort. Price control can be adopted along with control of the whole supply of food grains; only in that case it would prove adequate. The Government did nothing of that kind and the unintelligent, ill-planned and ill-conceived method was the principal cause for making the problem more complex than it was. Now, to what extent have prices risen we all know. We know that prices in some cases have risen fourfold or fivefold. That has been due partly to the price control policy adopted by the Government and partly to the unnecessary restrictions which have been imposed on the movements of crops and other articles from one province to another. In some of the provinces restrictions have been imposed on the movement of crops from one district to another. In Bihar, for instance, I found that there were barriers created between one district and another. This was surely ill-conceived. Bihar is directly under the control of the Central Government. You cannot say that Bihar is an autonomous Government and that you cannot interfere. Bihar is being governed under section 93 of the Government of India Act. The real thing is that the Government did not know their own mind. They had no plan, no well thought-out policy of their own and therefore they allowed the provinces under their control to go as they liked.

Another point raised by the Government was the question of confidence. I did not exactly follow what was meant by this question of confidence. Was it lack of confidence in the stability of the British Government in India? Or was it lack of confidence in the ability of Government to face the food situation. Perhaps the Government had in mind both these factors. Now, as regards the first, an ounce of fact, as they say, is more important than a ton of argument and if the Government have to inspire confidence in the minds of the people with regard to the stability of the present Government, they will have to prove that the Government can take steps which will lead to the removal of all difficulties. I need not say much more about the handling of the food situation by the Government, but I must emphasise that mere statements by Government officers will not help us. They must prove their case to the people by showing that the price of food articles is diminishing and that articles of food are available throughout the country. Before they do that, they will not be able

to enjoy the confidence of the public. It is my firm conviction that the present state of things has come about because the present Government is not responsible to the people. Such callousness, such thoughtlessness and such inefficiency would never have occurred if the Government of India were responsible to the people of the country. I am sure that there will be lack of confidence so long as a National Government is not established in this country.

The Government has placed a scheme before us. This scheme is good in parts, like the Curate's egg. What I urge is that there should be a well-conceived policy, complete in itself. I suggest that the Government programme should consist of two parts. The first part should consist of measures which are required to meet the immediate situation which may be called a short-range programme and the other part would be a long-range programme which would be effective in the course of, say, six months to one year.

With regard to the first, I would suggest that the Government should remove the impediments which lie at the present moment in the way of the movement of crops from province to province. By their own purchases and by price control and various other wrong methods, they have impeded the normal movement. Those impediments should be removed. Not only should price control be abolished, as has been suggested by the Government spokesman, but also the impediments imposed upon the movements of crops and other necessities of life imposed by the Provincial Governments.

Then, the Government should prevent exports of foodgrains from this country to other countries during the period of the crisis. That would be the second step to be taken. Now, the Government say that they are going to scale down the exports. The situation in India is so bad, at the present moment that the people are going without food. Therefore, you should not speak of scaling down of exports; you should prevent exports altogether until the food situation substantially improves.

The third step which should be taken is to obtain imports from other countries. I am glad to be able to note that arrangements have now been made for the importation of wheat from Australia. I hope that adequate quantities of wheat will be obtained by this means.

The fourth step which the Government should take will be to prevent hoarding. As I pointed out only a short while ago, the Government possess ample power in this respect and what is needed is resolute action on the part of the Government and that will provide the necessary remedy. Now, who are the persons who hoard? The producers hoard very little—not to a very large extent, if at all—because the producers are all small cultivators and they have not the means at their command to hoard large quantities of crops for future savings. Then, it is said that the consumers also hoard. Only a few rich persons can afford to spend the amount that is necessary to buy large quantities of food. Therefore, the consumers can also be ignored. Then we come to the retail sellers of food. They work with small amounts of capital and the paucity of capital does not enable them to hoard large quantities of food for sale in future. Lastly, we come to the fourth category, namely, the large dealers. It is these persons who are responsible for hoarding and it is not impossible for the Government to get hold of these large dealers, rather the speculators. Many of them are not perhaps the dealers; they do not actually deal, but they speculate on the sale of food crops; and it is they who are mainly responsible for creating this difficulty. The Government of India can take resolute action against such people.

Fifthly, the Government should prevent profiteering. Even if food is made available, the middle class people and the poorer sections of the people have not the resources to purchase the food because the prices of food are abnormally high. Therefore, profiteering must be stopped, and profiteering also can be stopped by getting hold of the large dealers and speculators. What is needed is firm action. I am not one of those who say that vindictive action should be taken, that every hoarder and every profiteer should be hanged by the neck

[Dr. P. N. Banerjea.]

as was suggested by some of our friends. When these dealers and speculators find that the Government is resolute and the Government will punish adequately all offenders, then hoarding and profiteering will cease.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Lastly, the Government must afford greater facilities for the transport of food articles from one place to another. My Honourable friend, Sir Edward Benthall, pointed out the other day that food articles have a priority and he gave certain figures. . . .

Mr. President (The Honourable Sir Abdur Rahim): Honourable Member's time is up.

Dr. P. N. Banerjea: I will finish in a minute, Sir. But unless he is able to point out that the situation has been improved by affording greater facilities to the public, we will not be satisfied. I hold in my hand certain telegrams which show that in the matter of wagon supply, the account which was given by the Honourable Member is not substantiated.

Sir, the second part of the policy which I have enunciated is a long range policy. This long-range policy consists of greater food production. It will not do only to read essays or to make statements to the press, but it will be necessary for the Government to send out agricultural experts to the villages and teach the cultivator how to use better manures, how to have a better rotation of crops and how to bring under cultivation land which is now waste. Lastly, Government will have to provide them with finance. If these steps are taken, there will, I think, not only be an improvement of the present position but a permanent improvement. And if the Government aims at producing 15 per cent. more food in the country, that will redound to the credit of the Government and confer lasting benefit on the people. Food supply in India, even in normal times, is very inadequate; a substantial augmentation of the supply is needed.

Major-General E. Wood (Government of India : Nominated Official) : Sir, none can be more keenly aware than myself that the reply to this important debate should have fallen on ampler shoulders than mine. I shall confine myself to the subject of food. The subject is one of the utmost gravity and the speeches of the Honourable Members have but reflected the anxiety on food matters of the country as a whole. My task, however, has been made considerably lighter because the majority of Members have put forward constructive and helpful contributions on a large variety of matters. The great majority of the Honourable Members are not inclined to dispute that the statistical position is not unfavourable. The Honourable Dr. Banerjea treats these figures with reserve; so does the Food Department. And of all the statistics we deal with, we take the most conservative interpretation of them. If it is true that the statistical position is not unfavourable, then the measure of the success that Government will secure by their policies and plans will be directly related to the degree in which they can stimulate the normal flow of the trade in its normal directions and to its normal level.

In pursuance of this it is the Government intention to ensure that any degree of stringency or austerity will be spread equally. With

4 P.M. equality all round there will be no difficulties. But it is to be appreciated that this is not merely a matter of surplus areas surrendering adequate quotas. The obligation lies heavy on deficit areas to make the most of their inadequate domestic resources. In the matter of procuring the normal average surpluses, it is to be appreciated that we are faced with a problem of peculiar difficulty. Comparisons with what is done in Western countries to secure the surpluses do not assist us. We, unfortunately, have not the position in which the foodgrains can be brought, forthwith and directly, into Government hands and under governmental control as is the case of countries that import the bulk of their requirements or where farming operations are conducted on a

basis of tens, hundreds or even thousands of acres by one farmer. India's surplus with which to feed her urban populations is derived from the small margins of tens of millions of small subsistence farmers each cultivating very small holdings. As Government see the solution to this problem, it is that there should be the minimum of impediment and obstacle to the farmer bringing his produce to the markets. One thing more than another that would dissuade him from bringing his surpluses into the trade channels is for him not to be satisfied with the price. Having regard to this, as also to the fact that the cultivator is entitled to a reasonable recompense for his labours—even a slightly generous recompense—it is the Government policy that the price in the primary wholesale market, which means the price that is available to the cultivator, shall be such as would induce him to bring his full surpluses to the market. It is at this point where the Central Government propose to acquire the surpluses and it is from this point onwards that the Central Government intend there shall be a control over both prices as well as movement and distribution. Throughout all stages down to the consumer the controlled prices will be related to the prices paid in the primary wholesale market and such prices will only permit of the normal reasonable profits being paid at this stage. These prices can be made effective in practice because Government will own the goods. This accords with the views expressed by many speakers. The Honourable Mr. Lawson has referred to what he called the need of "mobile reserves". I should like him to know that Government are fully seized of the potentialities of ideas and have indeed themselves operated to such principle on several occasions already. The purchase of the surpluses will be substantial in the glut months after the harvests. Thus considerable reserves will come into the hands of Government, which will be not only on behalf of the Central Government but of the Provinces in which the surpluses have been obtained. We do not share the Honourable Mr. Navalrai's fear that because the control price in the primary market has been removed therefore we are bound to pay any price that may be asked. By our commercial methods of purchase it will be possible to set limits from time to time on what we are prepared to pay and how much we are prepared to buy at a given price. The application of this system to the buying of wheat in the Punjab during the last three weeks or so may be noted. There has been a steady retrogression of prices from Rs. 12/8 to Rs. 10.

An Honourable Member: They have risen again.

Major-General E. Wood: I can inform the Honourable Member that the last five hundred tons purchased by Government on Saturday last were purchased at less than Rs. 10 a maund.

Both in the sphere of procurement as well as in distribution the Government policy is to ensure the maximum use of the normal machinery of the trade. It is no part of the policies of the Government to deprive the trade of the legitimate business and the extent to which the trade will receive business will be the extent to which it will be prepared to work under the control and on the terms of the Government. We will welcome the help of those who are prepared to co-operate. Those who cannot and will not work under those conditions can stand outside.

Reference has been made to railway transport and I can positively state that there is no hindrance in the matter of railway transport for the movement of food and that high priority for its movement is accorded. It is part of the Government plans to develop this position further and provide for railway movements schedules for periods ahead. On the matter of exports the Honourable the Mover of the Resolution has already informed you that today exports are substantially lower. The Honourable Mr. Jamnadas Mehta quoted certain figures for exports. I have had these figures again examined and can inform the house as follows:

If we take calendar years, the average of 1936, 1937 and 1938 amounted to 720,000 tons. The figure for 1942 was 455,000 tons. If we take financial years 1936-37, 1937-38 and 1938-39, the average works out at 770,000 tons whilst the

[Major-General E. Wood.]

figure for the 9 months of this financial year, i.e., April, 1942, to December, 1942, and as far as can be estimated from available data is some 300,000 tons.

The Honourable Member Maulana Zafar Ali Khan claimed that all export should be stopped. Other speakers made the same claim. The Honourable the Mover of the Resolution has stated the steps Government are taking to restrict exports to a bare minimum and the anxious consideration that is being given to this matter. The House will appreciate that we have obligations that cannot lightly be laid aside. Certain portions of these exports will go to sustain the Indians overseas. Certain portions are going to people who are in danger of facing not stringency but starvation conditions. But the Honourable Member Dr. Banerjea, strangely enough, whilst advocating cessation of exports, put in a claim for imports.

Dr. P. N. Banerjea: Not as a normal part of the policy, but in the present circumstances, a short range policy.

Major-General E. Wood: To those who claim that all exports should be stopped

Dr. P. N. Banerjea: I do not.

Major-General E. Wood: Short range or long range policy, I would ask what is India to expect if she just bans all exports and then gets into difficulties? If we stop all our exports now, what answer will be given to us if we get into difficulties which we hope will never occur?

Dr. P. N. Banerjea: We are in great difficulties at the present time.

Major-General E. Wood: The Honourable Member Babu Baijnath Bajoria raised the question of military hoarding and he inferred that on the whole the military stocks were so heavy that deterioration was very high indeed. In dealing with military affairs, great circumspection is necessary if valuable information is to be denied to the enemy. I content myself with these remarks: the totality of the annual defence requirements today, *plus* the diminishing exports of today are comparable in terms with the average of the pre-war exports. The defence authorities do not hold large reserves. Their stocks can be counted in terms of weeks and that the idea that they hoard large reserves of one or two or even three years stocks is entirely false. As regards deterioration, I am in a position to say from very close association with these problems that many a commercial undertaking would be pleased indeed if their percentage of losses were so small.

It is clear from the course of the debate that the House in all its parts is at least united on one matter and that is in their views on hoarding. Several Honourable Members have made reference to the light sentences hitherto inflicted that can but be described as derisory. It is the Government's hope that the new penalty of confiscation, in conjunction with the existing penalties of imprisonment and fine, will be used in a salutary and effective manner. The Government is at one with the feelings expressed by the House on this matter. These anti-social activities must be visited with the full force of law. It is the Government's hope that these penalties will be visited with full weight on the larger and more serious offenders and that they will not result in condign punishment being given to hosts of small dealers. In voicing this opinion, generally, the House had in mind hoarding by dealers. The Honourable Members, Sir Cowasji Jehangir and Mr. Jamnadas Mehta, among others, also referred to the tendency of certain Provinces to hoard and they also dwelt on the extent of consumer hoarding. As regards Provinces, I shall refer to them later. As regards the consumer hoarder, I would say that the Food Department regard his position far more seriously than the House seem to have in mind. It is the consumer hoarder who is specially dangerous. It is he who removes the working balances from the retail trade. By his panic-buying, he removes the working balances of the trade. The consumer hoarder is in a very substantial measure responsible for the state of affairs that have set in and it is in the cessation of consumer hoarding that we are to look for substantial relief in our problem. It

is a fact that is too little realised and too little emphasised. Those participating in these anti-social activities have merely to pay a little more for the goods. Money they can find. But what of those who have no money to build up domestic hoards? What of those who can only buy their day to day needs from the daily pittance they earn. What about the poor? It is on them that the full weight of the difficulties are falling. In making these observations, I would suggest that it has not passed un-noticed by the House that certain Honourable Members by their own words have indicated that some of us are not, shall we say, doubtfully suspect having more stocks than we might. How many of us are consumer hoarders?

The Government's action in removing the control price of wheat could scarcely have escaped criticism. I will not go into the arguments that led the Government to determine their action but will satisfy myself by reminding the House of certain consequences that have ensued. Firstly, the black market price for wheat, of Rs. 15, Rs. 16, Rs. 17 and even Rs. 18 broke by Rs. 5. Next the prices of *Bajra* and *Jowar* have subsided by Rs. 2 to 3. Thirdly, the conditions in the retail market have definitely become easier. Stocks have come to light in the retail markets that have no relation to those that could have come in from outside. Lastly, the Central Government have at last obtained certain valuable stocks with which to govern events. Whether all these beneficial results are directly attributable to the removal of control price of wheat is not claimed, but it is at least claimed that certain stocks are progressively coming into circulation and that prices of different food grains are coming more into reasonable relationship and parity.

My Honourable friend, Mr. Hoosainbhoy Laljee, has placed me in the position of explaining the factors of deterioration and storage, but I must demur from being classified as an expert in this matter. He was of course referring to wheat. Now, Sir, wheat storage is entirely a matter of conditions. No doubt Honourable Members are aware that wheat taken from Tutenkhaman's Tomb in Egypt was sown and germinated after lying for 4,000 years in storage. But we have no such climate in India, nor do we possess the silos of the western countries. As stored in *kothas* and pits in this country, wheat will undergo no violent deterioration inside two years. It will, of course, suffer from damp, mould, fungus and rot. Rats and mice play their part. Considering the crop of the country as a whole, the loss is very serious, but the loss within two years is not such as to cause the hoarder to disgorge his stored stocks because he is likely to suffer great financial loss. But after two years he certainly will suffer serious loss. Once the normal storage in the *kothas* or pits has been opened; even if only a few pounds have been taken out, the whole lot has got to go immediately into circulation. From then onwards deterioration is rapid. Wheat is anhydrous, Weeviling starts at once, and in the monsoon and in damp climates this weeviling can be very rapid and very serious. This is one of the most serious dangers arising from consumer hoarding and I hope it will not pass unnoticed by consumer hoarders. Milled products react in the same way and much of the flour and *ata* that is sent from the Punjab to Bombay and Calcutta is very frequently re-milled to refresh it on arrival.

The Honourable Mr. Lawson raised a question of the Central Food Advisory Council. He has drawn the attention of the House to the valuable recommendations that have been put forward. Those recommendations are now under the consideration of Government and it is hoped they will shortly be acted on. But with regard to the matter which seems to be enjoying almost undue prominence in the House—the matter of activated sludge—I am now in a position to explain what it means (*An Honourable Member*: "For our information".) for your information and mine. Activated sludge merely concerns the odoriferous refuse that traffics by night and in the early morning. The Bangalore process on which people are, we hope, to be trained, combines that raw material with the ordinary town refuse.

Dr. P. N. Banerjee: Compost?

Major-General E. Wood: The Bangalore process of compost. It takes all refuse and deals with it more quickly and with less danger to public health than the activated sludge process that requires a very considerable and expensive plant and chemicals in quantities that we could not afford today.

The Honourable Sir Muhammad Yamin Khan made certain criticisms concerning the control of salt and sugar. As regards sugar, the price of both cane and sugar have always been regulated and fixed in consultation with the major producing provinces and with reference to the anticipated price of *gur*. Control arrangements are being perfected each day and with more satisfactory distribution schemes the position can only improve. As regards Mr. Haroon's statement about delays in the despatch of sugar, I am afraid, there is considerable truth in the matter and we hope that if such a situation should recur we shall be able to take anticipatory steps to prevent shortage of supplies.

- As regards salt, the complaint was not so much that of system as that the nominees of the District Magistrate were not always capable of handling the business. Honourable Members should realize that there is a certain amount of inconsistency in the claims of the House that hoarding must be put down at all costs and that Government are wrong occasionally in taking certain unusual steps in the distribution of goods. The following will illustrate what I mean. We have here a commodity the manufacture of which is virtually a Government monopoly. The normal profit in ordinary times varies from Rs. 30 to Rs. 40 a Railway wagon and last year, without any increase in the primary wholesale prices, profiteering became so flagrant that profits of Rs. 500 to Rs. 1,000 per wagon were being made. This occurred in the temporary crisis of our worst transport difficulties, and by an onset of hoarding for black market operations. A salt trader could, and did, demand any price he liked from the local dealer. It was in these circumstances that Government adopted the obvious expedient of consigning its own salt to its own representatives who were to nominate their own local dealers. Whatever criticism may be made on this step, there can be no doubt at all that prices have been brought down substantially and very considerable easement of the position has been brought about.

The Honourable Mr. Chattopadhyaya has asked the Government to set up a Standing Committee of this Legislature for the Food Department. Government would be prepared to accept such motion if placed before the House.

As regards Sir Muhammad Yamin Khan's statement about rationing in Meerut, I have made enquiries and I find that his information is slightly inaccurate on two points. First, what he was referring to was some certain surplus Government stocks available for distribution to the public in circumstances where there was no food shortage and, secondly, that what the public were entitled to was twice what he stated.

The Honourable Mr. Joshi has criticised Government for failing to plan a control of food supplies from the outset of the war. This criticism has also been voiced by other speakers. To speculate on whether Government should properly have taken action before is not very fruitful and what we have before us now is the problem of how we are going to solve our current and future difficulties. On the long view the need to increase our production is obvious. It is the Government claim that significant results have already been secured in the last *kharif* crop. It is estimated that upwards of two-and-a-half million tons of additional production over last year's *kharif* crop has been secured, and, if all goes well commensurate results will be achieved in coming *rabi* crop. Honourable Members have been informed of the arrangements under which all provinces have been given "target" figures for their production for the coming new *kharif* crop. They have been told to prepare schemes—many of them have already arrived—and these schemes are for the purpose of laying claim on the Central Government for the finance that is necessary. The amount of money that would be made available for this purpose will, of course, be disclosed in the Budget speech. It is the Government claim that substantial benefits and significant results have already been secured in the "Grow More Food" campaign.

LEGISLATIVE ASSEMBLY

Tuesday, 23rd February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBERS SWORN:

Mr. K. G. Ambegaonkar, M.L.A. (Government of India: Nominated Official);

Mr. M. D. Bhansali, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

RECOGNITION OF RAILWAYMEN'S UNIONS ON NORTH WESTERN RAILWAY.

166. *Mr. Lalchand Navalrai: Will the Honourable Member for Railways be pleased to state:

- (a) how many Railwaymen's Unions on the North Western Railway have been recognised by the Administration;
- (b) if more than one, whether their activities embrace different departments of the railway, or they are confined to different areas;
- (c) if the reply to the first portion of part (b) above be in the affirmative, what is the policy formulated by the Railway Board for the recognition of more than one union on a railway system; what conditions a union is required to satisfy to have itself recognised; and
- (d) if no such policy or rules exist, whether Government propose to frame such rules to regularise recognition of more than one trade union on each railway? If not, why not?

The Honourable Sir Edward Benthall: (a) Three.

(b) The Unions are not confined either to separate departments or to separate areas.

(c) The recognition of Unions on Railways is a matter primarily within the discretion of the Railway Administrations. As regards the second part, the conditions precedent to recognition of Unions are contained in Part C of Appendix XIII of the State Railways Establishment Code, Volume I, a copy of which is in the Library of the House.

(d) No, because Government consider it in the best interests of all to leave Railway Administrations with the discretion.

Mr. Lalchand Navalrai: If there are no rules actually, are there any instructions or orders to the General Managers to recommend the recognition of these trade unions?

The Honourable Sir Edward Benthall: It is entirely a matter within the discretion of the railway administrations, having regard to the conditions precedent to the recognition of unions set out in the State Railway Establishment Code.

Mr. Lalchand Navalrai: May I therefore know that the discretion is used by the different General Managers of the railways differently?

The Honourable Sir Edward Benthall: Naturally, according to the different conditions which prevail on different railways.

DISCIPLINARY ACTIONS AGAINST NORTH WESTERN RAILWAY EMPLOYEES.

167. *Mr. Lalchand Navalrai: Will the Honourable Member for Railways be pleased to state:

- (a) how many employees on the North Western Railway have been dealt with under Government Servants Conduct Rule 17, during the calendar year 1942, for connection with the Press;
- (b) what were the circumstances of each case;

- (c) if railway employees who are officials of registered Trade Unions, are subjected to the provisions of Conduct Rule 17, when they act in their capacity of Trade Union officials;
- (d) whether any enquiries are made to establish that the information published in the Press by employees as Union officials came to their possession in the course of their official duties, if not, on what other grounds railwaymen have been penalised as referred to in part (a) above; and
- (e) what the policy of the Railway Board is in regard to publication of staff grievances by railway employees as officials of trade unions; and
- (f) if no such policy has been laid down, whether it is proposed to do so now; if not, why not?

The Honourable Sir Edward Benthall: (a) One.

(b) A railway servant admitted having furnished material for an article which appeared in one newspaper.

(c) Yes.

(d) As regards the first part, when action has to be taken, enquiries adequate to each case are made. As regards the second part, I am enquiring from the Railway Administration.

(e) As far as employees of State-managed Railways are concerned, the Railway Servant Conduct Rules apply in respect of any communications from them to the Press.

(f) Does not arise.

Mr. Lalchand Navalrai: Have they been restricted from making contributions of a particular nature or any contribution at all to the Press?

The Honourable Sir Edward Benthall: There is no objection to their making technical contributions to technical papers, provided they are not giving away confidential matter.

Mr. Lalchand Navalrai: What does the Honourable Member mean by technical? Supposing they have got some grievances are they allowed to send their grievances to the Press or not?

The Honourable Sir Edward Benthall: No.

Sardar Sant Singh: May I know if communication with a Member of the Legislative Assembly falls within this rule 17 of the Government Servants Conduct Rules?

The Honourable Sir Edward Benthall: Members of the Assembly are not members of the Press.

NON-CONFIRMATION OF OFFICIATING NORTH WESTERN RAILWAY EMPLOYEES.

168. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that several employees on the North Western Railway are continuously officiating in their posts for long terms ranging from five to seven years? If so, why are they not confirmed? Does any one else hold a lien on each of these posts?

(b) Is it a fact that officiating and temporary employees are deprived of several privileges attached to the permanent post, for instance, leave and leave allowance, as compared with the scale admissible to confirmed hands?

(c) Is it a fact that great discontent prevails amongst the railwaymen on the North Western Railway at the policy of keeping employees officiating or temporary for long periods?

(d) Has the Railway Board issued any orders in regard to confirmation, even provisionally, of persons officiating or working temporarily for long periods, when they have completed some maximum period of service in that post, or when it is known that the permanent incumbent is not likely to return for a long time? If so, does the Honourable Member propose to lay a copy of the same on the table of the House? If no orders have been issued, why? Is it proposed to issue some orders on the point now?

(e) Will the Honourable Member please refer to the provisions of Fundamental Rule 14(b) regarding suspension of lien of permanent incumbents when they are likely to be absent for a certain period and state if this is freely done on the North Western Railway to allow officiating men to be confirmed? If not, why not?

The Honourable Sir Edward Benthall: (a) I am informed that some employees have been officiating for long periods. As regards the second and third parts, the reasons are that some are working against temporary posts; others have to wait for their turn for permanent promotion where such promotion is from the inferior service to the subordinate service in which case communal reservations apply; and a few are working in posts on which other employees hold a lien.

(b) Yes.

(c) I am informed that the Railway has seen no indication of any such discontent.

(d) As regards the first part, para. 2008 (b) of the State Railway Establishment Code, Volume II, provides for the suspension of the lien of a permanent railway servant and the provisional confirmation of another railway servant in his post under stated conditions. The Railway Board have drawn the attention of Railways to this rule in respect of posts vacated by railway servants proceeding on war work. As regards the second part, no, as I have already given the contents of the orders. The third and fourth parts do not arise.

(e) I am informed that the Railway is generally following the provisions of Fundamental Rule 14(b)—which is the same as para. 2008(b) of the State Railway Establishment Code—but I would point out that action under this rule is discretionary. I am also informed that the attention of the competent authorities has recently been drawn to this rule. The second part does not arise.

Mr. Lalchand Navalrai: If a person has officiated for a period of three years and the post is still vacant and it is not known whether the permanent incumbent will return, is it the rule to appoint the officiating person in that vacancy or not?

The Honourable Sir Edward Benthall: That, I think, is contained in the paragraph of the State Railway Establishment Code to which I have referred. I understand that there is no hard and fast rule, but that there is discretion in the matter.

Mr. Lalchand Navalrai: When the Honourable Member says that there are many persons who have waited as officiating, will he consider their case and find out some way of making them permanent?

The Honourable Sir Edward Benthall: I said there were some, not many. These cases are constantly under review, and I am not altogether convinced that any further review by the Railway Department is necessary.

Mr. Lalchand Navalrai: Has the Railway Board or the Honourable Member reviewed their case? It is not a question for the General Manager.

The Honourable Sir Edward Benthall: The Railway Board does not examine every individual case; that is a matter for the railway administration.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is merely arguing now.

SAFEGUARDING OF PAYMENT OF ADEQUATE WAGES TO EMPLOYEES OF GOVERNMENT CONTRACTORS.

169. ***Mr. N. M. Joshi:** (a) Will the Honourable the Supply Member be pleased to state whether in contracts entered into by his Department, a clause safeguarding the payment of adequate wages to the employees of the contractor is inserted?

(b) Is the Honourable Member aware that the Government of India have accepted the recommendation of the Royal Commission on Indian Labour suggesting the necessity for the insertion of such a clause?

Mr. C. M. Trivedi: (a) No.

(b) Yes, but the recommendation refers only to Public Works contracts.

Mr. N. M. Joshi: May I ask whether the recommendation of the Royal Commission was restricted to the Public Works Department?

Mr. C. M. Trivedi: Yes.

CANCELLATION OF HOLIDAYS BY RAILWAY AUTHORITIES.

170. ***Mr. N. M. Joshi:** (a) Will the Honourable the Railway Member be pleased to state whether the Railway authorities can cancel any holidays granted under the Negotiable Instruments Act?

(b) Were any such holidays cancelled during 1942? If so, why?

The Honourable Sir Edward Benthall: (a) No; but the fact that a day is a public holiday within the meaning of the Negotiable Instruments Act does not preclude the railway authorities from requiring staff to work on that day, if the public interest so demands.

(b) There can be no question of a public holiday declared under the Negotiable Instruments Act having been cancelled by railway authorities; but if the Honourable Member will supply me with details of what he has in mind, I will be glad to make inquiries.

EXTENSIONS OF SERVICE TO OFFICERS IN RAILWAY TECHNICAL DEPARTMENTS

171. ***Mr. N. M. Joshi:** (a) Will the Honourable the Railway Member be pleased to state whether Government are aware that, by granting extensions of service to officers who are due to retire, young qualified men have to go without employment even in Technical Departments?

(b) Are Government aware that vacancies caused by transfer or death of officers, Anglo-Indian subordinates are promoted to officiate and these arrangements continue year after year?

(c) What measures do Government propose to take to remedy the situation?

The Honourable Sir Edward Benthall: (a) Yes. It must be remembered however that recruitment to the Superior Services is now on a temporary basis. However well qualified the young men may be they lack the experience of the senior men to whom extensions are granted.

(b) No.

(c) Government see no reason to take any special steps.

INCREASING OF PERCENTAGE FOR DIRECT RECRUITMENT IN INTERMEDIATE GRADES ON RAILWAYS.

172. ***Mr. H. A. Sathar H. Essak Sait** (on behalf of **Mr. H. M. Abdullah**) : Will the Honourable Member for Railways please state:

(a) whether Government have arrived at any final decision in connection with their memorandum No. 23/1/39-Ests.(S), dated the 6th June, 1939, issued to the various Departments of the Government about the increase of percentage for direct recruitment in the intermediate grades;

(b) if it is a fact that the North Western Railway Administration in 1940, after full investigation, recommended to the Railway Board a large number of posts in which direct recruitment for the intermediate grades was considered feasible; and

(c) if the reply to (b) above be in the affirmative, whether the recommendations of the North Western Railway Administration have been accepted; if not, why not?

The Honourable Sir Edward Benthall: (a) The question should have been addressed to the Honourable the Home Member.

(b) I am unable to trace any such communication.

(c) Does not arise.

INCREASING OF RECRUITING PERCENTAGES FOR LEDGER-KEEPERS AND APPRENTICE SUB-STOREKEEPERS ON NORTH WESTERN RAILWAY.

173. *Mr. H. A. Sathar H. Essak Sait (on behalf of **Mr. H. M. Abduliah**) : Will the Honourable Member for Railways please state:

- (a) if it is a fact that it is laid down in Section 51 of the rules for the recruitment and training of non-gazetted staff, except apprentice mechanics, trade apprentices, labourers and inferior staff on the State-managed Railways issued by the Railway Board, that for the initial recruitment to the grades of ledger-keepers and apprentice sub-storekeepers the percentage will be fixed by each railway according to its requirements;
- (b) if the reply to (a) above be in the affirmative, whether these instructions are followed by the North Western Railway; and
- (c) if he proposes to consider the desirability of issuing instructions to the North Western Railway to carry out these instructions at the time of filling future posts in these two categories?

The Honourable Sir Edward Benthall: (a) Yes, in Rule 53 and not Rule 51.

(b) I have no reason to believe that the N. W. R. are not following the rule.

(c) I do not consider any such orders are necessary but I shall send a copy of this question and reply to the administration.

REPRESENTATION OF MUSLIMS IN ESTABLISHMENT SECTIONS OF NORTH WESTERN RAILWAY.

174. *Mr. H. A. Sathar H. Essak Sait (on behalf of **Mr. H. M. Abdullah**) :

(a) Will the Honourable Member for Railways please state what instructions the Railway Board have issued from time to time to the North Western Railway in connection with the representation of Muslims in the Establishment Sections?

(b) What has been the effect of the issue of these instructions as regards increase in the representation of Muslims in the clerical cadre, and in the posts of Head Clerks?

(c) Is it a fact that Muslims in the Establishment Sections are put on duties of preparation of bills, issue of passes, etc., and not on the actual duties of dealing with staff matters?

(d) Does the Honourable Member propose to issue instructions that the periodical returns about the representation of Muslims in the Establishment Sections should give information separately regarding the staff dealing with personnel matters, preparation of bills, issue of passes and receipt and despatch work?

The Honourable Sir Edward Benthall: (a) I would refer the Honourable Member to my reply to part (a) of his starred question No. 84 asked on 23rd September, 1942. Since then instructions have issued on the recommendations in Mr. D'Souza's Report in Railway Board's letter No. E40CM132(24) dated 22nd October, 1942, a copy of which is in the Library of the House, and I would refer the Honourable Member to para. 2(d) of these instructions.

(b) Government have no information later than that contained in Appendices O, Q, S and U of Mr. D'Souza's Report.

(c) Government have no information

(d) No.

OFFICERS OFFICIATING IN LOWER GAZETTED SERVICE ON NORTH WESTERN RAILWAY.

175. *Mr. H. A. Sathar H. Essak Sait (on behalf of **Mr. H. M. Abdullah**) : Will the Honourable Member for Railways please state community-wise the number of officers officiating in the Lower Gazetted Service on the North Western Railway on the 31st January, 1943, against vacancies of more than six months' duration in the Engineering, Stores, Accounts, Mechanical, Commercial, Operating, Medical and Personnel Departments?

The Honourable Sir Edward Benthall: I lay on the table of the House a statement which gives the required information.

Statement showing community-wise the number of officers officiating in the L. G. S. on 31st January, 1948, against vacancies of more than six months, duration in the various departments of the N. W. Railway.

Department.	Europeans and Anglo-Indians.	Hindus.	Muslims.	Sikhs.	Indian Christians.	Jews.	Total.	Remarks.
Civil Engineering	6	6	3	2	...	1	18	
Stores	1	...	1	...	...	...	2	
Accounts	...	2	...	...	...	...	2	*
Transportation (Power) and Mechanical	8	...	...	...	...	...	8	
Transportation (Traffic) and Commercial	13	2	1	1	1	...	18	
Medical	1	1	...	...	1	...	2	†
Personnel	1	1	...	...	1	...	2	
Total	28	12	5	3	3	1	52	

* Officiating as Assistant Accounts Officers in Railway Services, Class II.

† Officiating as Assistant Medical Officers in Railway Services, Class II.

PAUCITY OF INDIAN MUNITION OFFICERS AT KANCHEPARA WORKS.

†176. ***Mr. Ananga Mohan Dam:** Will the Honourable the Railway Member be pleased to state:

- if it is a fact that in the Kanchrapara Works out of the five Mmunition Officers only one is an Indian and there is not a single Indian Foreman in the whole works;
- whether Government propose to promote a few Indian Assistant Foremen and Chargemen to the rank of Foreman; and
- whether the Foremen and Chargemen of the Ordnance Factories are entitled to overtime allowance; if so, why the same privilege has not been extended to the Foremen of the railway workshops who are doing munition works?

The Honourable Sir Edward Benthall: (a) There are only four munition officers of whom one is an Indian, there are three Indian Foremen.

(b) Promotions are not made on communal considerations.

(c) I have no information concerning the first part; as regards the second part Foremen and Chargemen in Railway workshops being supervisory staff are not entitled to overtime, but I would add that such staff in railway workshops are, for the time being, granted an allowance equal to ten per cent. of pay or Rs. 50 whichever is less if they work more than an average of 54 hours per week.

PROMOTION OF SENIOR SUBORDINATES OF RAILWAY MECHANICAL DEPARTMENT.

†177. ***Mr. Ananga Mohan Dam:** Will the Honourable the Railway Member please state how many senior subordinates of the Mechanical Department have been promoted to the rank of officers and how many of them are Indians (excluding Anglo-Indians)?

The Honourable Sir Edward Benthall: The Honourable Member has not specified the Railway or the period for which he desires the information. During the current financial year, on State-managed Railways seven senior subordinates of the Mechanical Department were promoted to the L. G. S. and none of them was an Indian other than an Anglo-Indian.

UNSTARRED QUESTIONS AND ANSWERS.

APPLICATION OF ESSENTIAL SERVICES (MAINTENANCE) ORDINANCE TO RAILWAY EMPLOYEES.

31. **Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether the railway employees are subjected to the provisions of the Essential Services (Maintenance) Ordinance of 1941?

(b) If the reply to above be in the affirmative, has any compensation by way of increase in their basic wages or by payment of allowances been given for conscription of their services? If not, why not?

† Answer to this question laid on the table, the questioner being absent.

(c) Has any machinery been set up to regulate the wages of railway employees under Section 6 of the Ordinance? If not, why not?

The Honourable Sir Edward Benthall: (a) Yes.

(b) The reply to the first part is in the negative. As regards the second part, Government do not consider that any such action as referred to by the Honourable Member is necessary. It should be remembered however that a number of concessions (including a dearness allowance) have been granted to meet the present abnormal conditions which rendered the Ordinance necessary.

(c) No, it is not considered necessary as the Railway Board have the necessary authority.

APPLICATION OF ESSENTIAL SERVICES (MAINTENANCE) ORDINANCE TO RAILWAY EMPLOYEES.

32. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether the Railway Board or any other authority, have issued instructions to the railway officers specifying the nature of reasons which should be accepted as reasonable when employees subjected to the Essential Services (Maintenance) Ordinance of 1941, resign their services?

(b) Do these instructions make provision for acceptance of resignation when an employee gets better wages or expects better prospects elsewhere, which the Railway Administration is unable to offer him? If the instructions make no such provision, why?

(c) If no instructions have been issued, is it proposed to do so now for the purpose of having uniformity on all railways or a railway system? If not, why not?

The Honourable Sir Edward Benthall: (a) No.

(b) Does not arise.

(c) No, it is not considered necessary.

PASSES FOR WIDOW-MOTHERS OF RAILWAY EMPLOYEES ON NORTH WESTERN RAILWAY.

33. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether free passes for widow-mothers are allowed to railway employees on the North Western Railway?

(b) Are such passes allowed to retired employees as well? If not, why not?

(c) Is it a fact that under Rule 43 (4) of the North Western Railway Pass Manual, passes are allowed to motherless children of an employee to see their grand-mothers?

(d) Is it proposed to extend the privilege of passes to widow-mother of a retired widower employee, whose children are looked after by the grand-mother and who obtains no passes for his wife? If not, why not?

The Honourable Sir Edward Benthall: (a) and (c). The reply is in the affirmative.

(b) No. There does not appear to be sufficient justification for extending this privilege to retired employees.

(d) No, as it is considered the existing pass rules are sufficiently generous.

LIST OF INADMISSIBLE DEBITS ON RAILWAYS.

34. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state if any further list of inadmissible debits has been issued subsequent to the Railway Board's Circular letter to Railway Administrations bearing No. E39AT816, dated the 9th July 1941? If so, does he propose to lay a copy of the same on the table of the House?

(b) Do the Indian-State-owned and managed Railways abide by the decisions of the Railway Board in these matters?

The Honourable Sir Edward Benthall: (a) No. The second part does not arise.

(b) Government have no reason to believe that they do not.

OFFICERS' POSTS ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

35. Mr. N. M. Joshi: Will the Honourable the Railway Member be pleased to state:

- (a) how many posts of officers were created during the last two years (and this year) on the Bombay, Baroda and Central India Railway;
- (b) how they were filled, i.e., by direct recruitment or by promoting subordinates; and
- (c) how many of these were filled by promoting subordinates, and of the promoted subordinates how many were Indians, Anglo-Indians and Europeans?

The Honourable Sir Edward Benthall: (a) 14.

(b) One post was filled by direct recruitment, seven by transfer of other officers, and six by the officiating promotion of subordinates.

(c) Six; two Indians, two Anglo-Indians and two Europeans.

FILLING OF HIGHER VACANCIES IN ACCOUNTS DEPARTMENT OF BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

36. Mr. N. M. Joshi: (a) Will the Honourable the Railway Member be pleased to state whether it is a fact that in the Accounts Department of the Bombay, Baroda and Central India Railway, higher vacancies (Rs. 160 and over) are filled only by Anglo-Indians and non-Indians?

(b) How many Indians and Anglo-Indians were promoted to grades of Rs. 160 and over during the last five years in the Accounts Department and by transfer to other Departments?

(c) Were any grades of Rs. 160 and over adjusted from one section to another to enable the promotion of Anglo-Indians?

(d) What was the allotment of grades of Rs. 160 and over in 1937 by sections in the Accounts Department and what is the percentage allotments in 1942?

(e) Is it a fact that grades of Rs. 160 and over have been abolished?

The Honourable Sir Edward Benthall: (a) to (e). Government have no information and it is regretted cannot undertake, under present conditions, to compile data relating to considerable periods of time. They will, however, obtain from the Bombay, Baroda and Central India Railway such information as is readily available, which will be laid on the table of the House in due course.

MOTION FOR ADJOURNMENT.

PUBLICATION OF A REVIEW OF CONGRESS RESPONSIBILITY FOR DISTURBANCES.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. I have received notice of an adjournment motion from Sardar Sant Singh, in which he wishes to discuss a definite matter of urgent public importance, namely, the publication, at a time when Mahatma Gandhi is passing through a crisis in life, of a review of Congress responsibility for disturbances, 1942-43, thereby displaying unprecedented callousness, impropriety and lack of all sense of responsibility in the discharge of what Government considers to be its duty.

But this pamphlet purports to be a review of the facts which have been published from time to time. In this very House various speeches have been made, especially on behalf of the Government, reciting all those facts in answer to motions moved by Honourable Members. I do not see how it can be said to be an urgent matter of public importance.

Sardar Sant Singh (West Punjab: Sikh): The review has been published.

Mr. President (The Honourable Sir Abdur Rahim): I know. I have seen a short summary in the papers.

Sardar Sant Singh: Yes, and the review has been circulated to some gentlemen. The main point is this: Mahatma Gandhi's condition on the 21st, as reported in the Press, was of a very grave and serious nature, and they timed this publication when he was passing through a crisis in his life—I am not bringing in a discussion on the merits of the publication.

Mr. President (The Honourable Sir Abdur Rahim): Then the Honourable Member will realise that if there be a discussion like that, Government will be obliged to put forward their case and that will not improve anybody's condition.

Sardar Sant Singh: I just want to censure Government on that point.

Mr. President (The Honourable Sir Abdur Rahim): It is not an urgent matter according to our rules and practice.

Mr. N. M. Joshi (Nominated Non-Official): May I ask whether the Government of India will supply copies of the review to the Members of the House.

Mr. President (The Honourable Sir Abdur Rahim): I rule that the motion is out of order.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF INFORMATION AND BROADCASTING.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Thursday, the 18th February, 1943, the time fixed for receiving nominations for the Standing Committee for the Department of Information and Broadcasting seven nominations were received. Subsequently two candidates withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies I declare the following Members to be duly elected:

Seth Yusuf Abdoola Haroon;
Mr. Lalchand Navalrai;
Mr. C. P. Lawson;
Mr. M. Ghiasuddin; and
Shams-ul-Ulema Kamaluddin Ahmad.

THE RAILWAY BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Mr. President (The Honourable Sir Abdur Rahim): The House will now discuss the Railway Budget Second Stage, that is to say, Demands for Grants for Railways. But before the House proceeds with the Demands for Grants in respect of the Railway Budget, the Chair would like to inform Honourable Members that an arrangement has been arrived at among the various Parties of the House as regards the time which should be allotted to each Party and the order in which the cut motions relating to these Demands will be taken up in the Assembly.

According to that arrangement, the Nationalists have been allotted time up to 2-50 P.M. today, and the following cut motions will be moved by them. Cut motions Nos. 19, 21, 22 and 23 on the Consolidated List.

The European Group will occupy the time of the House from 2-50 P.M. to 4-40 P.M. today and they will move cut motion No. 25 on the Consolidated List.

The Unattached Members, who have been given time from 4-40 P.M. to 5 P.M., today and up to 12-40 P.M. tomorrow, will move cut motion No. 7 on the Consolidated List.

The Muslim League, who have been allotted time from 12-40 P.M. to 5 P.M. on Wednesday, the 24th February, will move the following cut motions: Cut motions Nos. 49 and 26 on the Consolidated List. Cut motions Nos. 4 and 5 on the Supplementary List No. 1.

As regards the time-limit for speeches, the usual practice has been for the Mover of the cut motions to take 15 minutes and the other speakers also to take 15 minutes and the Government Member replying will have 20 minutes. I suppose this will suit Honourable Members.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): There is a slight change in the number of the first motion allotted to us. It will be, not 19 but 17.

Mr. President (The Honourable Sir Abdur Rahim): Very well.

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris: Muhammadan): Motion No. 26 allotted to the Muslim League will come last. That is to say,

[Mr. H. A. Sathar H. Essak Sait.]

the order of motions will be, 49 on the Consolidated List, Nos. 4 and 5 on the Supplementary List No. 1, and No. 26 on the Consolidated List.

Dr. P. N. Banerjee: There is another further change which I may bring to your notice. Instead of No. 21, we want to take up No. 41.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection on the part of the Government?

The Honourable Sir Edward Benthall (Member for Railways and War Transport): No objection.

Mr. President (The Honourable Sir Abdur Rahim): Then the Honourable Member might move the Demand relating to cut motion No. 17.

DEMAND No. 1—RAILWAY BOARD.

The Honourable Sir Edward Benthall: Sir, I move:

"That a sum not exceeding Rs 13,27,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Railway Board'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 13,27,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Railway Board'."

Policy of Wagon Allotment and Distribution.

Mr. K. O. Neogy (Dacca Division: Non-Muhammadian Rural): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

My object is to invite the House to discuss the policy of wagon allotment and distribution. Due to the stress of war, goods traffic for civilian purposes has had to be considerably curtailed. The question now is whether the curtailment has not gone beyond the minimum permissible limit. From statistics supplied to me in reply to certain questions, it appears that there was a considerable reduction in the number of wagons loaded from the 1st of April 1942 to the 20th January 1943, the period for which statistics was available, as compared with the corresponding periods of the previous years. The drop is noticeable in respect of food grains and pulses. It is, however, explained that there has been a progressive increase in the wagon load, so that the reduction in the number of wagons actually loaded does not fully reflect the quantity of goods intended for civilian consumption actually carried. Now, Sir, this result may have been achieved by what is called wagon economy, including discouragement of booking of small loads; but this may well have led to maldistribution, at least in definite localities. It is not again clear whether the figures for food grains and pulses also include the quantities of these stuffs carried for consumption by the armed forces in the country. Then again, as is well known, there has been a considerable shrinkage in the coastal traffic; and the railways should normally have been expected to carry a considerably larger bulk of these goods that used to be handled by the coastal traffic, and in the absence of any substantial increase in the volume of goods carried by the railways as shown by these figures, the actual volume of commodities transported for civilian requirements is probably less than the figures indicate.

Coming now to coal, I had occasion to deal with this aspect of the question in connection with the debate on the food position. The Honourable Member in charge stated in his budget speech that the smaller loading of coal, which is a lower-rated commodity, has meant that a larger quantity of higher-rated commodities has been moved. He took care to add that this was not a matter of gratification to the railways, since movement of coal was a matter of first importance. From statistics supplied in reply to some questions which I put on the subject, it appears that the total number of wagons available for coal loading went down in 1942 to 9½ lakhs from 11 lakhs in 1941. Or, in other words, the number of wagons available for coal loading in 1942 was about 500 less per day than in 1941. But the total number of wagons allotted for war priorities went up from 39,361 in 1941 to 1,89,085 in 1942, representing an increase of nearly five times. Again in the case of coal booked under other priority classes,

a considerable increase is recorded when we compare the figures in 1941 and 1942. When we come to the number of wagons allotted for loading public coal, however, we find that the total number of wagons (taking "up" and "down" together) allotted for 1942 was less than one-fourth of the total for 1941. The public supply in 1942 approximately worked out at 243 wagons a day, or 9.5 per cent. of the total available coal wagons, which is considered to be an unjustifiably low percentage, and has fallen far short of the legitimate demands of the public in respect of the supplies of domestic fuel, as well as the demands of the smaller industries which do not enjoy any priority, such as rice mills, flour mills, oil mills, etc. The Provincial Quota System introduced with effect from the 1st of January of this year virtually seeks to stabilise this unsatisfactory position, inasmuch as the number of wagons allotted as a monthly quota is about the same as was allotted for public supply in the year 1942, and works out at 245 wagons a day. Unless the allotments are increased, the situation that will arise in respect of public supply of coal is likely to be very serious. Apart from the allotments of wagons supply for public coal, the Provincial Quota System in its practical working has so far proved to be extremely defective and unsatisfactory. In the interest of the smaller industries as well as the public at large, the quota system deserves to be immediately reconsidered.

The Honourable Member may have received a telegram from the Indian Mining Federation in which it is pointed out how a new fangled idea of the Government of Bengal is interfering with the normal trade channels through which domestic fuel used to be distributed in the past. I have no desire to dilate upon this question because it will not be strictly in order on this occasion.

As regards war priority, it was at first understood that only those industries that supply at least 50 per cent. of their products for war purposes, would be entitled to war priority in the matter of allotment of wagons for coal. It is believed, however, that this standard does no longer operate and that the inclusion of an industry in the war priority category is not regulated by any fixed standard today. This requires to be immediately looked into, so that any undeserving concern cannot, by clever manoeuvring, get the advantage of the war priority system. The general feeling is that it is because of the laxity in the working of war priority system that very little wagon accommodation is left for the carriage of domestic fuel and of coal for the smaller concerns producing food articles for the public. The present policy of unduly restricting the supply of allotment of wagons for public supply has hit the smaller collieries which produce second class coal and some of them may have to close down very shortly as a result of this difficulty. A telegram which has been addressed to some Members of the Assembly, as also perhaps to the Honourable Member in charge, by the Mining Federation of Calcutta, draws pointed attention to the perilous condition in which the smaller collieries find themselves at present due to this policy. I will give a few quotations from this telegram. They say that the shortage of supply of wagons in 1942 has resulted in over 36 lakhs tons of less coal despatch in that year. 36 lakhs tons less coal has been despatched as a result of the restriction in the supply of wagons for the public supply. "Coal wagon position", it continues, "still worse. Current months reacting adversely on large number small collieries. Committee strongly urges Government to take immediate steps to increase number of available wagons for coal loading and also to ear-mark daily before other allotments at least 300 wagons for loading domestic fuel and coal for small industries not on war works, such as, flour, oil, rice mills etc., supplied mostly by second class collieries. Coal output already dangerously low. Committee apprehends if steps not taken at once further drop would necessarily follow with disastrous results due to forced restriction of output and closing down large number second class collieries for non-supply of wagons resulting coal production much below country's requirements". As I pointed out before, the output of coal has already gone down and

[Mr. K. C. Neogy.]

a further drop would be disastrous to the country at large. It would incidentally complicate the labour position and I trust that the Honourable Member for Labour would interest himself in this matter from that point of view.

Even though a particular allotment may be made per month in respect of public supply, the Honourable Member in charge admitted in reply to a question of mine that no definite guarantee could be given that the supply of wagons would be made in full in spite of a specific allotment having been made. Then he added that actual supply depends on the day-to-day wagon position and the operating conditions prevailing on the railways. It therefore seems to me that the figures of the allotment may prove altogether mythical in practice if there be absolutely no guarantee as to whether they would be available.

Now, Sir, it appears that the public supply under the old system was stopped before the Monthly Quota System could be put in actual force, and further that the monthly allotments during the first fortnight of January were very much below the quantities actually stated to be allotted in respect of the different provinces. My suggestion, in this connection, is that having regard to the seriousness of the situation and the misunderstanding that can easily arise in a vital matter like that of the supply of necessities of life, in so far as it depends upon the adequate supply of railway wagons, the Honourable Member should appoint a small Committee representing the consumers as well as the trade to examine the practical working of the policy of priority, allotment and distribution of wagons for the carriage of all civilian goods. As regards the distribution of coal wagons, I make the further suggestion that the Controller of Coal Supply should have a Standing Committee representing the trade and the consumers, which he should regularly consult. These two specific suggestions I make in the interests of the efficiency of the working of the policy, and also to reassure the public mind that in regard to the wagon supply, on which depends the adequate distribution of the necessities of life, the Government are anxious to take the public fully into confidence.

Mr. President (The Honourable Sir Abdur Rah'm): Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. N. M. Joshi (Nominated Non-Official): Sir, I would like to say a word on this motion in order to bring to the notice of the House, the difficulties which are being experienced by the workers engaged in the bangle industry in Ferozabad in the United Provinces. Sir, Ferozabad is a town well known for the bangle industry. A very large part of the population of that city is engaged in this industry and most of them are workers dependent upon the wages for their livelihood.

Dr. P. N. Banerjee: It is a very ancient industry.

Mr. N. M. Joshi: Yes, it is a very ancient industry. For some time the Government of India is not providing adequate number of wagons to that industry. I may say they are hardly supplying any wagons for that town with the result, that there is very great distress among the people, especially among the working classes of that town. The industry wants coal, soda and some other essential articles. The Local Government does not seem to be very watchful about the interests of this town. It is said that the bangle industry is not a war industry and therefore that industry cannot receive any priority. I am prepared to agree that by no stretch of imagination I can describe bangles as a part of war industry. But what we have to consider in this case is this, whether there is going to be a great distress among the people of that town? If the bangle industry had been a very small part of the industry of that town, the people of that town could somehow maintain the unemployed people in this industry, but here is a town which almost solely depends upon this industry. The Government of India gives priority to the carriage of foodgrains. Of what use is this priority to the people in the Ferozabad if you do not enable them to make money. I am sure the Government of India is not going to distribute

foodgrains free to the people in Ferozabad. If they propose to do so during the period of the war, I shall not ask them to spare any wagons for the carriage of coal to that town. But so long as the Government of India does not undertake and so long as the Provincial Government of the United Provinces does not undertake to maintain the unemployed people in Ferozabad, their need for coal and other essential requirements of this industry is as great as the need of certain towns and provinces for foodgrains. You cannot have foodgrains without money, unless the Government undertakes to distribute foodgrains free. I, therefore, feel that the Government of India should take into consideration the special circumstances of this town which is solely dependent upon this industry.

Now, Sir, besides this it has come to my notice that in many towns in the Province of Bombay, where there are textile mills and factories, these have to stop for some months for want of coal. Employers are making huge profits and out of those profits a large part goes to Government by way of the excess profits tax, with the result that the employers are not anxious whether the factory is closed for two, three, four or five months, they make their money in six months. As a large part of their profits goes to Government they are not interested whether factories always run or not. The people who are really interested in the factories not being closed are workers who are engaged in that industry. If the workers engaged in an industry do not get employment for three or four months in a year, how are they to live? Employers live well; they can enjoy comfortable life, if the factories work only for four months or five or six months which brings them huge profits. But how can the workers live? We have in this country no scheme for unemployment insurance. Workers are unemployed for months together in small towns like Amalner and one or two others in the Khandesh part of the Bombay Presidency I would like the Honourable Member to consider these things also. If the Government of India provided for unemployment insurance scheme, I can understand it. So long as Government do not provide unemployment insurance scheme, they have got to keep the industry going on which the working classes depend for their maintenance. I would like the Govt. of India to consider this aspect of the question very seriously in deciding upon their policy for distributing wagons.

The Honourable Sir Edward Benthall: It would perhaps be best for me to start by replying to the question which Mr. Joshi has just raised, because in the example of the bangle industry he has chosen a classic example, if I may say so, which illustrates the whole war transport problem. Mr. Joshi agrees that nobody can possibly argue that the bangle industry helps the war: at the same time, of course, we fully recognize that failure to supply the bangle industry with its raw materials is bound to cause unemployment and in consequence distress.

Mr. N. M. Joshi: Coal and other raw materials.

The Honourable Sir Edward Benthall: Well, as I say therein lies our whole problem.

In the United Kingdom and other countries such as the United States this problem has been dealt with most drastically. In those highly industrialized countries industries which are not of prime necessity to the war, i.e., luxury industries, have been simply wiped out.

Mr. N. M. Joshi: That is the consideration there—men get employment.

The Honourable Sir Edward Benthall: Sir, in the United Kingdom or in countries where there is a total industrial effort directed solely towards winning the war, no consideration of the interest of any particular industry has been allowed to stand in the way of the war effort.

Mr. N. M. Joshi: But there you have simpler industrial conditions to deal with.

The Honourable Sir Edward Benthall: There it is possible to transfer workers from one industry to another. Mr. Joshi correctly says that the whole system of that country is highly organized. But here in this country we have to face

[*Sir Edward Benthall.*]

the facts. Workers of one industry cannot easily be transferred to another industry. As Honourable Members are aware we in the War Transport Department are facing continuously the question of what industries can be kept, supplied with coal or with other raw materials. Every body knows that we have a demand for more traffic than the transport system of the country can bear. There is no escaping that fact. We are not running away from it. And so we have all the time to keep a consistent watch on the position of every minor industry with a view to trying to see, whether we can supply a little quantity of coal to keep the industry going in addition to keeping the total war effort going.

Now, Sir, obviously the bangle industry must come behind other demands for coal. That does not mean we have no sympathy with the industrialists engaged in that industry or with the workers of that industry. We have very great sympathy. Indeed, we had tried to keep that industry and other small industries going as far as possible. I can assure Mr. Joshi that the example of this industry is constantly before us. We are watching the position and if necessary we are prepared to make further enquiries as to the hardship which has actually been incurred in that area.

Mr. Neogy first of all pointed out that there had been a general decrease in the number of wagons loaded. It is perfectly true. As I endeavoured to point out in my previous speeches during this Session that does not necessarily show inefficiency but on the contrary it indicates an increase in efficiency. As regards the quantity of goods loaded into a particular wagon—I do not think I gave the figure to the House before—the average tonnage loaded into a broad gauge wagon has been raised between June 1941 and June 1942 from 12.9 tons to 14.6. Although a smaller number of wagons was loaded, each wagon contained more goods and that is what enabled us to move with smaller number of wagons practically the same ton mileage. Then Mr. Neogy spoke of the question of wagons for food grains. He enquired whether in the figures which I gave him in reply to his question food grains for the armed forces had been included. I should be correct in saying, I think, that they have not been included if those foodgrains and pulses were on the direct account of the Army, but that if they were passing through civilian hands or the Supply Department and ultimately came into the hands of the Army Department by repurchase or for any other reason, then they would be included in the figures. He indicated also that we were handicapped, that is the way he put it, by the absence of coastal traffic. That of course is the case. We were dependent before the war very much for our food supplies, for rice supplies, on coastal shipping from Burma and also for various movements of country products by coastal traffic. Those from Burma have naturally entirely ceased. I think I am correct in saying that very little foodstuffs move by coastal steamer now. But the Honourable Member will observe from the Press that we are making the strongest efforts to get the country craft organised so that food stuffs and other materials may move, to the greatest extent possible and at whatever sacrifice to the railways, by coastal boat rather than over the railways. I think in my Budget speech I pointed out that in the first half of last year, we had in fact moved the same quantity of foodstuffs and raw materials as in the same period of the preceding year. We have not got up-to-date statistics since, but I should be inclined to think from what we know of the grain trade that in the latter half of the year we have not moved the same quantity of foodstuffs. But that is not because we have not been willing to give priority to the movement of foodstuffs because ever since August foodstuffs have been given an extremely high priority, and if it is the case that movements of foodgrains have fallen off, it is due to foodstuffs not being offered for transport.

On the subject of coal wagons, I made a statement on this point also in the general discussion. It is of course wrapped up very much with our total problem of wagon movements in this country. Forty per cent. of our ton mileage

in the country is represented by coal, there was a higher figure the year before the last, 46 per cent. That figure shows what an enormously important bearing coal traffic has upon our general wagon problem, so that when you come to consider the coal wagon position, you cannot consider it in vacuo. You have to consider it also in conjunction with the military traffic problem, the food problem, iron and steel and every other commodity which is to be moved round the country. But of course the provision of coal wagons is very much in the forefront of our minds at all times, if only for two reasons; the first reason I have just given, that it bears such a large proportion to our total wagon ton mileage, and the second is that coal is the lifeblood of the country and that industry, and the war effort and the comfort of millions depend upon its movement. For that reason, we have appointed a Controller of Coal Distribution specially to handle this problem, apart altogether from the general Priorities organisation which deals with the movement of traffic as a whole. The problem is so large and important that we have chosen a very capable and able officer who has earned the appreciation of every branch of the coal trade.

Mr. Neogy also complained that the coal wagons for "public" supply are much too short. I made a statement in the House on the debate on food and the necessities of life the other day. The Indian Mining Federation in their telegram which Mr. Neogy just read out asked for 300 wagons per day. Our calculation is that that is an excessive number. We have calculated,—when I say, we, we are acting largely on the advice of the Controller of Coal Distribution,—we have calculated that a very considerably smaller number of wagons would meet the legitimate "public" demands. I think if we could supply the total number of wagons to the Bengal and Bihar collieries which we aim to supply, then five per cent. of those wagons would in fact meet the legitimate "public" demand. To meet the shortage which undoubtedly does exist, and I am afraid will continue to exist, we have introduced the provincial quota system. I think that generally speaking the system has the blessing of the trade. I know there have been serious criticisms of it, but those criticisms as Mr. Neogy himself indicated in his speech are partly questions for Provincial Governments and not entirely questions for the Central Administration. I know there have been delays in bringing this into being, but I have maintained, and I maintain today, that the scheme is a sound one and all that it needs is vigorous handling. I believe it is correct—I said this the other day and was challenged, but I am informed again this morning—that coal can now be obtained in Delhi at Rs. 1-8-0 a maund and soft coke at Rs. 1-9-0 a maund. If that is correct, that is a very great improvement

Dr. P. N. Banerjea: Yesterday, I could not get coke at all.

The Honourable Sir Edward Benthall: I think the Honourable Member must have been unlucky, because I was enquiring this morning from a poor person and he told me that he found it quite possible to get it.

Dr. P. N. Banerjea: Since when?

The Honourable Sir Edward Benthall: Since the last few days. I submit that that does show that given a reasonable chance the Provincial Coal Quota System will work and does work.

Mr. Neogy then asked that there should be a small Committee of consumers. I have forgotten exactly what the terms of reference were. He suggested that it was to examine the whole system

Mr. K. O. Neogy: Examine the working of the priority system.

The Honourable Sir Edward Benthall: Well, Sir, the priority system is growing every day. Time does not permit me, I am afraid to give the House a detailed description of the working of the Central Priority Committee which consists of representatives of the Departments of the Government particularly concerned, or of the Controller of Railway Priorities, the Regional Priority Controllers in the different Provinces and the Boards of Transport which exist in the different Provinces to advise the railways on priority movements. Nor can I

[*Sir Edward Benthall.*]

go into the whole question of priority certificates which at the present moment is under examination with a view to a very material improvement in procedure. It is a very large and constantly altering organisation designed to meet the varying conditions which arise throughout the country. I think myself that it is a system which, taking into account the great difficulties with which we are faced in the War Transport and Railway Departments, is working well. I personally do not think that a committee of consumers or others is necessary at the present time.

Mr. Neogy also suggested an Advisory Committee to give advice to the Controller of Coal Distribution. Khan Bahadur Faruque, the

12 Noon. Controller of Coal Distribution, is an officer who appreciates, if anybody does, the desirability and the necessity of close contact with the trade. As I mentioned before, his relations with the trade are, I believe, admirable and he never fails to see anybody who calls upon him. One of the difficulties which existed prior to our setting up this organization was the inability of the different branches of the coal trade to reach agreement. I think, there was, in fact, a committee at one time designed to try to reach agreement on these questions, but it is found by experience that the good offices of Khan Bahadur Faruque have resulted in a better measure of agreement being found, and I do not think that any benefit would come from setting up a special Advisory Committee. I can assure Mr. Neogy that the Controller of Coal Distribution will continue to keep in the closest touch both with the producing organizations and with the consumers throughout the country.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was adopted.

Reduction in Rates and Fares.

Mr. Lalchand Navarai (Sind: Non-Muhammadan Rural): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sir, the rates and fares have been increased from time to time and the object of this cut motion is to ask the Government to reduce the rates and fares as, I feel, that the time has arrived when they can afford to do so. When these rates and fares have been raised from time to time, there have been two reasons for it: Firstly, whenever the Railway showed a deficit budget and, secondly, after the commencement of the war the Government wanted money they raised the rates and fares by an extra one anna surcharge. And this has resulted in large surplus and there is no reason why a good turn should not now be done to the travelling public by reducing the rates and fares. It is only fair that when there are surpluses they should not be diverted in a manner which will exclude giving any concessions to the travelling public. But this is what happens, and I will show that the diversion of the surplus, which is proposed by the Honourable Member-in-charge, is not properly made, and some money could be saved for this help to the travelling public.

It cannot be denied that the rates from time to time have been raised. I will illustrate this by giving figures: Before the war it was 2½ pies per mile uniform system. Later on, the fares were raised to 3 pies per mile for the first two or three hundred miles and 2½ pies per mile for additional distances. Then after some time the fares were raised to 3½ pies per mile for the first 50 miles and 3 pies from 51 to 150 miles and 2½ pies from 151 to 300 miles, and 2 pies per mile beyond 301 miles. The third class passengers at present pay 3½ pies per mile for the first 300 miles and 2½ pies per mile for additional distance. Intermediate, second and first class fares were also raised, and thus the Railways earned considerably from the travelling public. Over and above these increases from time to time the latest increase was the imposition of a surcharge of one anna per rupee. As and when the rates have been increased, the public have been bringing to the notice of the Railways that these increases in

rates and fares, and especially with regard to goods, were a very great burden on them, but all the same they did not seriously oppose it because of deficit budget and war. But now that the earnings of the Railways have increased and they have got such a large surplus I see no reason why there should be no reduction in the rates and fares. The imposition of surcharge has brought the Railways about ten crores of rupees. That is the help which the travelling public have given to the railways at the time of need and now if I can show that there are very large surpluses then in that case, it will be only reasonable that the rates and fares should be reduced to a reasonable extent—I don't say they should be reduced too much—in view of the 'surpluses' which have accrued.

The first reason I advance is this: The figure of surplus given in the budget for 1942-43 is "Rs. 36.28 crores", and the estimated figure of surplus for 1943-44 is Rs. 36.4 crores.

The gross income of the railways was usually Rs. 100 crores, but now it is Rs. 50 crores more. The increase is due to the carriage of military traffic, both goods and passengers, as well as from upper class passengers, and also from the increased fares for inter and third class passengers. I am particularly asking for the reduction in the fares in respect of third class and intermediate class passengers.

Then there is the question of basic increase in rates for parcels and goods, in addition to the levy of a surcharge. Sir, the total surplus this year is Rs. 36.28 crores. Now, let us see how they are going to dispose of this sum. I think the House will agree that it would be only reasonable not to divert all this surplus in the manner in which it is proposed to be done. What is proposed is this: Rs. 17.76 crores are being given under the Convention to general revenue and Rs. 16.8 crores in repayment of loan to depreciation fund. Very good. This means that the loans are discharged. There is nothing due to the Government under the Convention that has been going on up to this time. But then there is yet a balance of 2.36 crores, and how is the Railway Member going to dispose of that? Why not use it in the manner in which I am asking? If, on the other hand, Rs. 2.36 crores is going to be given to general revenues as a gift, it would require the sanction of this House. Therefore, I am requesting the House to consider this point seriously. It will come up in due course of time to this House as to whether this should be given to general revenues as an extra-conventional amount? Why should that be? With regard to that, we shall have to consider whether the amount should be given away as a gift. This point was raised before the Railway Finance Committee, of which I am also a Member, and the question was left open and it was agreed that it should be discussed in this House. I am therefore taking advantage of it and requesting the House to consider this very seriously. When, according to the Convention, you are giving to the very pie to Central revenues, why should you make a gift of this amount? That means that you are not giving any help to the persons whose income has raised all this money? Since you have a balance, why should not that balance come to the rescue of those poor men who are paying more? Therefore, Sir, I submit that it will not be right that Rs. 2.36 crores should go to Central revenues. Where there is a will, there is way! If the Honourable Member feels pity on these people in these hard days, days when the cost of food has risen and people are suffering even otherwise from poverty, and if he gives them this help, it will be most welcome. Therefore, the right way of giving help to these poor ratepayers is to give them aid from the surpluses that you have. Do not divert your surplus. You can afford to give less amount due to Central revenues. You have always given less and made up the balance by and by. Next year you will have an increase and from that increase you will be able to give away up to the last pie. Therefore, Sir, very full consideration should be given to this suggestion. The Honourable Member-in-charge should consider the case of the poor people also

[Mr. Lalchand Navalrai.]

Consider sympathetically the plight of those people who are helping the Government at this particular time of stress and need. Sir, I move:

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I support the resolution which the Honourable Member from Sind has just moved about rates and fares. I need not repeat those figures which he has given; and he has convinced the House that from time to time the railway administration has been increasing the rates on the plea of deficit and then a new plea has been found to be "war". There was a good justification when it was a plea of deficit, because the Government has always taken the stand that the railways are a commercial concern and a national asset worth about Rs. 900 crores. Now when the good time has come, and when that commercial concern is earning a huge profit, naturally the people who do deserve to get advantage from that profit are the sharers. And who are the sharers of that commercial concern or the national asset of Rs. 900 crores?

The Honourable Sir Edward Benthall: The Government.

Mr. Muhammad Nauman: The Government? That is again the same bureaucratic reply, which I should not have expected from an unofficial Member like Sir Edward Benthall.

The Honourable Sir Edward Benthall: It is a fact, Sir.

Mr. Muhammad Nauman: We claim that it is the national asset of the Indians. We claim that the railways are ours, and to say that it is a government concern or government property is a misnomer, so long as Government is not a responsible Government of this country. Now, I want to say that the real people who deserve to get a share of profit out of it are those who have contributed in bringing up this concern or are the real owners. They are the Indians and particularly the clientele of that commercial concern, I mean the travelling public, and that public which is contributing in the shape of freight for the movement of their stuffs. What has been the position? The position has been that even last year, in spite of the boom profit in 1941-42, they increased the rates. Return tickets for first and second classes were abolished which meant an extra cost to those class of passengers of about 33 per cent. For example, the first class fare between Patna and Howrah used to be Rs. 38—it is now the same—and the return ticket did cost only Rs. 56 but now the return ticket is costing Rs. 76 as the return ticket concession has been abolished. You have raised the rates indirectly, placing a burden on your clients, the passengers and those who claim that it is their national asset. In addition you have deteriorated in giving them the necessary facilities and amenities. The compartments are in a dilapidated condition and even the light arrangements are not good: sometimes I found the electric fans and lights in such a condition that people got shocks when they touched the switches. What ground have you for increasing the rates, when you are having a period of best profits?

I need not dwell on the division of the surplus, as the Honourable the Mover of the cut motion has already dealt with it; but I want to know whether it was more necessary that the contribution of 17.76 crores should have been made to the general revenues at the cost of the clients or shareholders, that is, the passengers and the people, without giving them any sort of amenities or facilities. The argument was sometimes advanced that unless we contributed to the general revenues, the general public would have to meet the deficit in the general budget by some form of taxation. But again that argument does not hold good because when the amendment of the Railway Act was brought for ticketless travelling and when we argued that putting such a statute on the Statute book of the country would be a degradation of the people, the

Government advanced the argument that a commercial concern cannot afford to lose this amount. You cannot have it both ways. You cannot argue just to suit your convenience. The Government of India changes its position as it suits them. Do they accept that this is a commercial concern which should be run on commercial lines? Or, do they accept the position that it is the property of the Government of India and it will be run on such lines as will suit the Government, which probably is now working in the mind of the Honourable Member for Transport when he said that it belongs to the Government of India. We do not accept that position, and we have definitely rejected it.

There is not much more to be said except this, that the Government of India should reconsider the situation and try to give some relief to the passengers and to the commercial people who are the real clients of this commercial concern. With these few remarks, I resume my seat.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division: Non-Muhammadan Rural): Sir, I rise to support the motion of Mr. Lalchand Navalrai. The war condition has undoubtedly given a great stimulus to the railway which has earned a very good surplus: this surplus is earned by the people themselves who have used the railways as passengers or merchants and others and by those who have worked the Railway. This surplus should not be utilised for any other purpose, except for the benefit of those who gave the money. That should be the principle. Public utility services like the Railways and Post Offices should not be used as commercial bodies for profiteering. Therein lies the difference between a private company and the Government: they should also consider whether any money should be earned in surplus out of proportion without consideration of the difficulties of those who give them that money. Government may claim to keep portion of the surplus in the reserve; a depreciation fund should no doubt be created. But the amount given to general revenues should have been curtailed a great deal. We are entitled to request the Honourable Member to see that hereafter the rates and freights might be reduced so that there would be more traffic and the whole thing would be properly balanced. By raising the rates and freights, the traffic in passengers and goods must have diminished; but if the rates are lowered, there will be an increase in traffic in all railways and therefore there cannot be any loss. Out of this surplus the railways can make many improvements. The conveniences of the passengers may be increased manifold. Amenities even in the higher classes in the N. W. R. are absent. Taps and lights are not properly kept and even the cushions are not good. In the lower classes, of course, there are no cushions at all. With this surplus the inconveniences, which are now many can be minimised to a great extent. Surpluses should not be allowed to run to such an extent as to make it impossible for us to support the Honourable the Railway Member in his attempt to go on increasing his profits. He must consider the inconveniences really caused to the passengers, particularly third class passengers, who have an eternal complaint against the negligence of the Government towards their conveniences. At the present time the trains are running in a smaller number and are not running to time as they did previously. So, overcrowding in the railways is a matter which requires special consideration of the Transport Member. It will be better if he could coolly consider, apart from the troubles which he has been feeling with regard to war necessities—if he could consider how he can manage to bring the freights and rates down so that without losing the required surplus he can benefit the passengers and the general traffic. With these words I support the motion.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): I shall be very brief. A case has been made out by previous speakers for a decrease in rates and freights. It will be seen that the earnings from passengers is estimated to be Rs. 42 crores and 71 lakhs in 1943-44, while it was Rs. 36 crores and 46 lakhs in 1941-42; that is, it has increased by six crores, though it is said that they are not going to increase the rates and freights. By what means are

[Maulvi Muhammad Abdul Ghani.]

they going to get these six crores more from the passengers? If we estimate the total receipts from the passengers, it comes up to 28.47 per cent. of the whole income of the railways. It has been said that there is a net saving and I have just pointed out that there is an increase of six crores from the fares chargeable from the passengers. So, it is right time that the fares should be decreased. It has been just said that it is a Government concern, it is Government property. Taking it for granted, is it proper that the Railway Department should issue so many free passes, especially for the railway employees? Crores of rupees are wasted over this; not only that, but high officials of the railways, for instance, the General Manager, the Traffic Manager and others, after retirement get silver pass. If it be a Government concern, then Government officials of other Departments should also get such passes and particularly the Executive Councillors must get a golden pass by which throughout their life they and their family can travel in the first class free of charge. Is it proper?

Mr. N. M. Joshi: Thoroughly improper.

Maulvi Muhammad Abdul Ghani: It is done these days. There are twelve kinds of passes granted to railway officials in these days. Notwithstanding that, they have put a restriction on the rights of the passenger to carry luggage. Whatever exemption was made in the case of luggage has been withdrawn. Even a single umbrella, a stick or bedding, is weighed. On the contrary, first class free pass holders and their servants are allowed a free allowance of three maunds of luggage per head. Is it proper? Is it just? As regards overcrowding the crew or the ticket examiner comes in and finds lots of people in each compartment; sometimes people holding third class tickets travel inter class and second class. But the railway crews or ticket examiners never care for the overcrowding; they never ask passengers to go out. They simply grant excess fare receipts and go away.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Division, Muhammadan Rural): Does the Honourable Member propose that freights should be charged by weight both the passengers and the luggage together?

Maulvi Muhammad Abdul Ghani: The charges concerning rates and fares are going up day by day whereas the facilities and amenities hitherto allowed to passengers are being curtailed at every stage. With these observations I support the motion.

Sir Hugh Raper (Government of India, Nominated Official): This cut motion, as shown on the order paper, deals with a reduction in rates and fares. But we have heard rather more about the surplus and how that should be utilised than we have of the difficulties that the existing level of rates and fares may have caused. Had I been entirely a layman, I would have turned to page 78 of the Explanatory Memorandum which has been distributed to everybody, and there it will be seen that the railway reserve fund is in this particular year 56 lakhs, that is, 8 lakhs only over what it was in 1939-40 and the previous years. So, it would appear looking at it as a layman, again, that asking for this surplus to be utilised for the purpose of reducing rates and fares would be to ask that the reserve fund be utilised before it has been actually built up. But there is the point, which has been touched upon by several Honourable Members, and that is overcrowding. The Honourable the mover apparently seriously suggested that we should reduce fares. Overcrowding is due to the fact that there are more passengers wanting to travel than we can accommodate in our restricted train services. If we were to reduce the fares, still more passengers would want to travel and conditions would be even more difficult than, I regret to say, they are at present.

Mr. Muhammad Nauman: Is it by way of protective duty or something like that?

Sir Hugh Raper: We have thought of all the normal ways by which we can restrict travel. We have come to no conclusion which would be effective,

because we believe that none of them would be effective. The only way to stop travel seems to be, in India, to run no trains. When we have curtailed the train service and asked the people not to travel, it has not had the slightest effect but India is not alone in that. The number of passengers travelling in India has gone up considerably and the fact appears to be that more people have got money to spend on travelling and they wish to do it. The point that was raised by my Honourable friend, Mr. Chattopadhyaya, was that if you reduced rates and fares you get more people to travel and you get more goods despatched but that is the very thing we want to avoid. Unfortunately, it seems that the thing that we should do to ease the existing situation, is to put up our rates and fares. The Honourable Member for War Transport in his speech stated that no general increases were contemplated. These are his actual words: "but we are not contemplating any general change in existing fares and freights next year" and we rather felt that that statement would bring a certain amount of pleasure to the House and we understood that it did give some satisfaction, but as things are it is impossible to contemplate any reduction. It is true, as my Honourable friend, Mr. Lalchand Navalrai, has stated that there have been increases in the past in fares and in freights. When you refer to an increase, you make a definite statement that the scale of fares, for example, has been increased. The proper method by which to judge the matter is to consider the actual effect in operation and that is something very different, as any Honourable Member would see by reference to the Railway Board's statistics, and I would ask my Honourable friend, Dr. Banerjee, to believe that in this case the statistics are accurate and can be relied upon. In regard to the third class fares, I have here a statement showing the average rate charged per passenger from the year 1935-36 up to the present time. In 1935-36—I have not gone to the period of the first war—the average was three pies and in 1940-41 it was 3.05. So, over that period of nearly seven years, there has only been an increase of .05 pie per passenger per mile, which is extremely small. This year, 1941-42, it has certainly gone up. It is now 3.18 but we have very good reason for that. With great regret, we have had to abolish a number of reduced fares that were in operation. Railways, as the House is aware, quoted reduced fares in competition with motor transport. Those have all been taken off, in the hope that passengers will use the other form of transport. That was done in the general interest but it has not given us, I regret to say, the relief we would like. But even so, the fare has gone up only from 3.05 to 3.18. That is not a very great increase.

Mr. Muhammad Nauman: In the case of the first and second class passengers on the E. I. R., is it not a fact that the fare has gone up by 33 per cent., when you take into consideration the 1½ return tickets and the full two tickets?

Sir Hugh Raper: That would be one of the concessions to which I have just referred. We have had to withdraw them.

Mr. Muhammad Nauman: But on the North Western Railway, you are continuing them.

Sir Hugh Raper: That is just the type of question in regard to which, in other circumstances, I should like to ask for notice but I believe that is not a fact. Generally speaking, concessions such as these have been withdrawn but now that you have brought this to our notice about the North Western Railway, I will certainly make a note of it.

Mr. Lalchand Navalrai: Sir, I object to that. It should not be reduced.

Sir Hugh Raper: The Honourable Member referred to first class fares. I have here a similar statement regarding first class fares. In 1935-36, the average fare charged per mile per passenger was 17.8 pies. In 1941, it was 15.8. At first sight, it looks as though we have increased the fares for the third class passengers and reduced them for the first class but that is not so. There has not been any specific change but there is an arrangement with the Army by

[Sir Hugh Raper.]

which we charge Army officers, on production of a certificate, a fare lower than the normal fare. It has been in operation for many years and we do not propose to withdraw it. The number of army officers who travel is increasing and the lower fares charged to them has brought down the average.

Mr. Muhammad Nauman: Does it mean that it is a strategic railway and not a public utility concern?

Sir Hugh Raper: I do not quite understand the connection. Then, Sir, my Honourable friend, Mr. Abdul Ghani, stated rather positively that General Managers after retirement received silver passes. That is quite incorrect. They do not get gold passes either. If they have had a certain length of service, not only they but other members of the staff likewise are eligible for privilege passes after retirement—a certain number per year. That applies to all staff.

Maulvi Muhammad Abdul Ghani: What is the period for which it is granted?

Sir Hugh Raper: That you will find in the Code, but if you want to know that in more detail, may I suggest that a question be put in?

Mr. Lalchand Navalrai: With regard to the 2.36 crores which are being given to the Central Revenues, may I know why should that be given?

Sir Hugh Raper: That is not exactly a matter connected with the reduction of rates and fares. I believe there will be another opportunity for you to discuss that particular problem. There is a Resolution to be moved. (Interruption.) My Honourable friend, Mr. Abdul Ghani, referred to the deterioration in the matter of accommodation, so far as I could hear him. I think he referred to the first class. That is very liable to happen in war time. We cannot get the material that we used to get and, I am afraid, we must expect that deterioration to increase. We hope it won't get too bad and we shall do our utmost to prevent that.

I have not yet touched on rates. We have been told that rates have been increased but here again we have to see how the increases actually work out in practice. The average charges for coal have diminished since 1935-36. In 1935-36 the charge per ton per mile was 3.5 pies; in 1941-42 it was 3.09. So there is a reduction. Grains and oil seeds are another traffic of considerable consequence. The charge in 1935-36 was 7.89 pies per ton; in the year 1941-42 it was 7.41. So, although in actual scale there may appear to be an increase, in actual practice it does not work out like that. For other commodities, there has, very definitely, been an increase. These are commodities of general kind, all other than coal and grains and oil seeds, and certainly the increase which has been imposed of 2 annas per rupee is reflected actually in the results. But, strangely enough, the average charges were higher in 1940-41 than in 1941-42. The increases such as those during the war time and for the purpose for which they have been made are not, I submit, in themselves excessive. If we were to reduce rates, if we are to reduce fares, if we are to reduce the charge for parcels, it would mean more traffic and we simply cannot carry it. So, on that ground, if for no other, I must definitely oppose this cut motion.

Mr. N. M. Joshi: Sir, I do not wish to make a long speech, but I wish to point out that the Government of India is following a very crude, if I may say so, and a very unfair method of reducing the traffic by keeping higher charges. Travelling is as much necessary to a poor man, a man of smaller means, as it is necessary to a man with greater resources. To some extent, at least, a man with money undertakes travelling merely for luxury. Lot of people go to Kashmir from Bombay or Madras and overcrowd the trains. A journey undertaken for that purpose, certainly comes under the category of luxury. I, therefore, feel that the Government is very unfair in resorting to the method of reducing the traffic by charging higher rates and fares. The railways are maintained by the tax-payers of this country as a public utility concern and they should be available not only to the rich and people with

greater and larger financial resources, but to the poorest men, and I would like the Government of India to consider this aspect of the problem. The public utility services are maintained by the tax-payer and they must be available to the poor people as much as they are available to the rich people. The method which the Government of India has adopted is unfair and very crude, if I may say so. I would like the Government of India, if the travelling facilities are limited, to find out some other method. . .

Mr. E. L. C. Gwilt (Bombay: European): What is the alternative?

Mr. N. M. Joshi: The alternative is to find out why people are going to Kashmir and tell them they won't get the tickets to Kashmir. You should inquire into the object of the man's travelling and if a man is going to leave Delhi or Calcutta or some other place because it is hot, you need not allow him to undertake that journey. I know even now, Race Specials are being run between Poona and Bombay and people go from Bombay to Poona and Poona to Bombay just to take part in the races. You can tell them that they cannot get a ticket if they want to go to Poona or Bombay merely for the purpose of races. You can stop them. The Government of India must find out a better method of reducing the travelling than the method of charging higher fares and I would like the Government of India to realise that it is a very unfair method.

The Honourable Sir Edward Benthall: Sir, I feel that I should rise to correct my Honourable friend. I was not, of course, a Member of the Government in past years and at short notice I cannot be absolutely certain of my facts. But I think I am correct in saying that the Government has not adopted the policy of putting up fares in order to discourage passenger traffic except with the particular object of trying to pass passenger traffic off the rail-roads on to the buses. We have been asked to use every possible means of transport in this country and one of the obvious things to do was to try and get passengers off the railways and on to the buses. That is a policy which, I think, has proved very popular with the bus services and not unpopular with the passengers. It is, of course, a fact that everything in these days has to be subordinated to moving the essential traffic of the war. I think, again I am pretty certain of my facts, that there are no Race Specials running to Poona today and certainly we have some time ago taken steps to see that the long distance transport of race horses should come to an end. All these things are being watched and I can assure my Honourable friend that we shall continue to do so.

I should perhaps make one other general remark, in response to my friend, Mr. Muhammad Nauman. He asks whether the profits of the railways should go, I think he said, to the clients or the sharers. The answer, I think, is really perfectly simple, namely, that it is this House which is deciding now whether the profits should go to the general revenues or to the railways, and

that is the very reason why Mr. Muhammad Nauman is speaking
I P.M. on the cut motion

Mr. President (The Honourable Sir Abdur Rahim): The question is:
- "That the demand under the head 'Railway Board' be reduced by Rs. 100."

The Assembly divided:

AYES—20.

Abdul Ghani, Maulvi Muhammad.
Azhar Ali, Mr. Muhammad.
Banerjee, Dr. P. N.
Bhutto, Mr. Nabi Baksh Illahi Baksh.
Chattopadhyaya, Mr. Amarendra Nath.
Choudhury, Mr. Abdur Rasheed.
Deshmukh, Mr. Govind V.
Essak Sait, Mr. H. A. Sathar H.
Ghiasuddin, Mr. M.
Joshi, Mr. N. M.
Kazmi, Qazi Muhammad Ahmad.

Lalchand Navalrai, Mr.
Liaquat Ali Khan, Nawabzada Muham-
mad.
Maitra, Pandit Lakshmi Kanta.
Nauman, Mr. Muhammad.
Neogy, Mr. K. C.
Parma Nand, Bhai.
Sant Singh, Sardar.
Siddique Ali Khan, Nawab.
Zafar Ali Khan, Maulana.

NOES—38.

Abdul Hamid, Khan Bahadur Sir.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Aiyar, Mr. T. S. Sankara.
 Ambedkar, The Honourable Dr. B. R.
 Ambegaonkar, Mr. K. G.
 Benthall, The Honourable Sir Edward.
 Bhagchand Soni, Rai Bahadur Seth.
 Bhausaly, Mr. M. D.
 Caroe, Mr. O. K.
 Chapman-Mortimer, Mr. T.
 Daga, Seth Sunder Lall.
 Dalal, Dr. Sir Ratanji Dinshaw.
 Dalpat Singh, Sardar Bahadur Captain.
 Gray, Mr. B. L.
 Griffiths, Mr. P. J.
 Gwilt, Mr. E. L. C.
 Haidar, Khan Bahadur Shamsuddin.
 Imam, Mr. Saiyid Haidar.
 Ismaiel Alikhan, Kunwar Hajee.
 Jawahar Singh, Sardar Bahadur Sardar Sir.

The motion was negatived.

Kamaluddin Ahmad, Shams-ul-Ulema.
 Lawson, Mr. C. P.
 Mackeown, Mr. J. A.
 Noon, The Honourable Malik Sir Feroz Khan.
 Pai, Mr. A. V.
 Pillay, Mr. T. S.
 Raisman, The Honourable Sir Jeremy.
 Raper, Sir Hugh.
 Richardson, Sir Henry.
 Sahay, Mr. V.
 Shahban, Khan Bahadur Mian Ghulam Kadir Muhammad.
 Spear, Dr. T. G. P.
 Spence, Sir George.
 Stokes, Mr. H. G.
 Sultan Ahmed, The Honourable Sir.
 Thakur Singh, Major.
 Trivedi, Mr. C. M.
 Tyson, Mr. J. D.

Curtailement of Passenger Trains.

Sardar Sant Singh (West Punjab: Sikh): Sir, I beg to move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The passenger services trains have been reduced almost on all lines throughout British India, with the result that while passenger traffic has increased considerably, the services have been reduced. By a reference to the report on the Indian Railways and on comparison of two years 1941-42 and 1938-39—a period just when the war broke out, with the present day conditions, I find that the number of first class passengers have increased from 2,69,700 to 4,42,200 and second class passengers have increased from 32,40,700 to 44,84,300. Intermediate class passengers have increased from 94,26,200 to 1,24,43,900 and third class from 3,12,37,800 to 3,79,31,33,500 from 1938-39 to 1941-42. This increase is tremendous. The result is that this increase has resulted in over-crowding as it is clear from the facts given about passenger miles. The passenger miles have increased from 2,424 millions and 29 thousand to 4,050 millions and 239 thousand. This is an enormous increase. Without even looking at the figures as reported in the official report, but only referring to the personal experience that each traveller has on Indian railways, we find that the upper class compartments are more crowded than their capacity permits. Similarly, when we come to the inter class and third class passengers, we find them almost in every train standing with the doors of the carriages open and mostly on the foot-boards. With this, I need hardly say that the convenience which the third class passengers were given or were conceded, after a long struggle and after much agitation that we carried on on the floor of the House has disappeared altogether. Not only this, that the conveniences have gone, but at the same time, we find that the accidents have increased on the railways. I particularly refer to those accidents which are due to the falling of passengers from running trains. It is now high time that we should look into this matter and examine the situation more seriously.

Before I proceed further on this point, I may refer to the punctuality of the trains. The percentage given in 1940-41 is 84.2 and it has been reduced to 77.7 per cent. in 1941-42. This too requires looking into.

I now come to the main point of my cut motion. No doubt the Government will come forward with the plea that on account of war, the rolling stock is not available, locomotives are not to be had and, therefore, passenger traffic had to be restricted. There is much force in that argument, and this side of the House does appreciate that argument. But, I may remind the Honourable Member that since 1924, this House has been passing cut motions and

tabling out motions drawing the attention of the Railway Board to the necessity of manufacturing locomotives in the country. But the Railway Board has been consistently ignoring the demand of the Opposition, on that point. Today, they are wiser. They discovered that they could not get locomotives from abroad.

Mr. President (The Honourable Sir Abdur Rahim): The House will now adjourn for lunch. The Honourable Member can continue his speech after lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Syed Ghulam Bhik Nairang (one of the Panel of Chairmen) in the Chair.

Sardar Sant Singh: Sir, before we dispersed for lunch, I was submitting for the consideration of the House that the Government might say that the curtailment in the passenger services in the country has been due to lack of adequate numbers of carriages and locomotives in the Railways. No doubt this is true, but is this shortage in equipment due to the policy of the Railway Board which they have pursued consistently during the last ten or fifteen years? The Opposition Benches have been consistently agitating for arrangements to be made in the country for the manufacture of locomotives and for facilities to be granted for the manufacture of carriages and wagons, but the Government had never responded to the appeal till lately, when they started manufacturing locomotives in Ajmere Workshops. But that work had to be stopped again due to the war and that workshop was handed over for the manufacture of munitions and other weapons of the war. May I submit, Sir, that the Government will admit now, or will they not admit, that their policy has not been what it ought to have been and it has not promoted the interest of the country so far, and that they have lacked that imagination and vision which goes to make wise statesmen and good Governors? I only remind them of this so that they should realize the folly in which they have been indulging in by the conditions which the war has brought about in this country. The reason why we want that this hardship in the transport system should be reduced at any rate, if not done away with entirely, is that it is for them to examine the situation and it is for the Railway Board to find out ways and means. They must realize that the public is suffering on account of this. The slogan which the Railway Board have adopted since the war began "Travel When You Must" is a poor comfort to the traveller when he finds himself surrounded by inconvenience and hardship all-round. They cannot sit idle and say that we tell you not to travel and if you travel you must undergo the hardships. This is no logic and no argument for the hardships that the public has to undergo after investing such large sums in the Railways of this country. It was said, Sir, that we are keeping up the high railway fares with charges and sur-charges over the railway ticket because we do not want to discourage travelling.

The Honourable Sir Edward Benthall: Sir, I thought I had dealt with that point.

Sardar Sant Singh: I will only make a passing reference and then proceed on. I will say that this too is not a convincing argument. Therefore, I will request the Railway Member—and I must remind him that he is not an official, he is a non-official; his right place should have been on this side of the House and when he has gone on that side of the House he represents the non-officials, and as such his sympathies will be with the views of the non-officials more than with the views of the officials—and, therefore, I appeal to you to find out a solution of this difficulty.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): But he can do nothing.

Sardar Sant Singh: I think he can. He was taken as a non-official on account of the sympathies which he has for the non-official views and for that purpose we cannot say that he has got bad surroundings or vicious surroundings and, therefore, he cannot do anything. He has to rise above these surroundings and find out a solution for the difficulty which is facing the country today.

Mr. Lalchand Navalrai: Whose salt is he eating?

Sardar Sant Singh: Country's salt; tax-payers' salt and not the employers' salt. Therefore when I move this motion, I do not want to censure the Government but I want to concentrate their attention on the question that the public is very keenly feeling the hardship.

The second point to which I particularly want to draw his attention is the punctuality of the trains. The trains do not come at right time on the stations, with the result that more often than not the connections with the main line are lost and people have to wait for over 24 hours in order to get the next suitable connection.

Mr. Chairman (Syed Ghulam Bhik Nairang): Honourable Member's time is up.

Sardar Sant Singh: Therefore, Sir, I will submit that the Railway Board should seriously consider this question and do something for the relief of the people.

Mr. Chairman (Syed Ghulam Bhik Nairang): Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Dr. P. N. Banerjee: Sir, in supporting this motion, I will make a few brief observations. I entirely agree with the view taken by the Government that in war time there must be some restrictions in passenger train facilities. But such restrictions should be in the interest of war transport. We find, however, that there has been a very drastic curtailment of passenger trains and this has been done after the sabotage. Now that that trouble is over I would request the Honourable the Member for War Transport to restore the position which existed before the sabotage. Whatever restriction is necessary in the interest of war transport should be maintained but it is not necessary to continue all the restrictions which have been imposed since the 9th of August, 1942.

I should like to make a few further suggestions. On the East Indian Railway there are Parcels Express Trains. I have often found that many of the compartments of the Parcels Express Trains are empty, but the general public is not allowed to board these trains between Mughalsarai and Howrah. This restriction should be done away with on two conditions: In the first place, you may say that provided there is accommodation the general public will be able to board these trains and, secondly, you may have another condition that no reservation of berths or seats will be made. Then the second suggestion which I wish to make is that there should be a continuous passenger train from Howrah to Delhi and another from Delhi to Howrah. If that is done, the congestion in the upper classes would be greatly removed and the congestion in the third class compartment of the mail and express trains will also be greatly reduced. The third suggestion which I wish to make is that the Government should consider the speeding up of trains to some extent now. After the sabotage the trains were slowed down because there was real necessity for such slowing down. But now that that necessity has disappeared, I do hope we will go back to the position which existed before the sabotage. These are the three important points and I hope they will meet the consideration of the Honourable the War Transport Member.

Mr. Muhammad Azhar Ali: Sir, I rise to support this motion inasmuch as I have seen it with my own eyes, and I would refer to the Honourable Members here who have been travelling in their own constituencies and in other places. They must have seen the congestion and realized that the public are undoubtedly in very great trouble, especially the third class passengers, in getting seats in trains. Sir, I have seen with my own eyes women, men, and children hanging

on to trains when they have left from one station to another. Accidents, too, have occurred, and the cause for all this is the war and the consequent stoppage of passenger trains. Sir, with one stroke of the pen it is absolutely possible for you to effect a remedy and you can do it. You have stopped passenger trains, but what have you done for the accommodation of these people who have become accustomed, now for a century, under British Rule of moving about in trains.

Sir, I will curtail my speech and say that there is no favourable condition created by the Government for the poor people to travel. It may be very easy for the rich to travel from here to Bombay or Calcutta, but what arrangements have you made for the poor? I ask the Government to reply to this. Even the condition on the roads is not good. There is no petrol. There are no other transportable facilities in the country. Now, if petrol is not obtainable, if automobiles are not allowed to be constructed, I ask, what have the Government done during all these days for the convenience of the people, and especially the third class passengers?

My friend, Dr. Banerjee, wants that I should curtail my speech, and so I shall conclude.

Dr. P. N. Banerjee (Calcutta Suburbs Non-Muhammadan Urban): Yes. The Honourable Member wants to reply.

The Honourable Sir Edward Benthall: I can assure the Honourable the Mover and his supporters that we in the Railway Department have the greatest sympathy with passengers. The reason why they travel in discomfort is not of our making. We have to deal with the situation as we find it. We also travel, and not nowadays in saloons. We ourselves travel and see the conditions in which passengers are travelling, and I can assure you that it gives us no satisfaction.

There is no question, of course, about the overcrowding. There are two ways of meeting it either by putting on more trains or having less passengers. I think sufficient has been said in this House since these debates began to show what extreme difficulty we have in moving all the traffic that has to be moved. We have tried the other expedient of endeavouring to persuade passengers to travel less. We are, in fact, in an impasse between those two methods of correcting the present position, because neither can we put on more trains nor can we persuade passengers to travel less.

We have, however, gone very slowly about this process of reducing passenger trains. Right from the beginning of the war plans were made for a 25 per cent. reduction, but the action taken in reducing the passenger services has been very gradual and we have taken whatever steps are possible, e.g., cutting off restaurant cars from trains and putting on extra lower class compartments, to attempt to meet the hard conditions of the lower class passengers. But try as we will, it is almost impossible to rectify the position in the present state of the war.

I should perhaps say one or two things as regards this shortage of wagons and locomotives. We hear much of this shortage, and indeed there is a shortage. But it comes not so much from an absolute shortage of locomotives and wagons as from an excess of traffic, which has arisen out of the war. I think we can say, roughly speaking, that prior to the war the wagons and locomotives were adequate for peace time traffic. I do not personally think they were quite adequate, but generally speaking they were reasonably adequate for pre-war conditions, and the shortage has arisen now entirely owing to the war.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Is the shortage of wagons due to paucity of funds, or want of materials or the want of will?

The Honourable Sir Edward Benthall: To a certain extent shortage of materials: not to shortage of funds nor to lack of will. I should also correct. I think for the second time today the statement that wagons have not been made in the country. They have, of course, been made in this country for very many years out of indigenous materials.

Sardar Sant Singh: In the beginning they started it and then they stopped the orders locally and again renewed them.

The Honourable Sir Edward Benthall: I think the iron and steel were required for other purposes.

In conclusion I should say that it is almost impossible for us to improve the lot of passengers at the present time. I said so frankly in my Budget speech. Once you get behind, once there are arrears of traffic, arrears caused by cyclones, by the rebellion, by recent incidents in Calcutta, and so on, it is extraordinarily difficult to catch up, and, I am afraid, that these restrictions will have to be maintained; but I will say this, that I will inquire most carefully into those areas where the curtailment of passenger traffic is causing the most inconvenience to passengers, and I will also look into the case mentioned by Dr. Banerjee regarding the Parcel Expresses; but I think he will find that the carriages to which he refers are carriages which are not put on at all for passenger service but which are returning to other parts of the country for operational purposes. I must oppose the motion.

Mr. Chairman (Syed Ghulam Bhik Nairang): Now, it is the turn of the European Group to move their motion.

Post-War Reconstruction.

Sir F. E. James (Madras: European): Sir, I beg to move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

I make no apology for returning to this question of reconstruction after the war. I was very much impressed when I attended a meeting of the Indian Railways Conference Association by a speech delivered by the President, Mr. Laughton, and also by the reply to that speech given by the Honourable Member. In that speech, Mr. Laughton stressed the utmost importance now of considering post-war reconstruction with regard to three matters, (1) rationalisation of transport, (2) rolling stock, and (3) what he described as staff welfare. I am going to put to my Honourable friend, the Railway Member, a four-point programme, and I shall deal with two points, leaving my colleague Mr. Stokes to deal with the other two: (1) the rationalisation of transport, (2) the reconstruction and betterment of railways, (3) a comprehensive housing programme for labour, and (4) the question of the future control and management of railways.

In his reply to Mr. Laughton, the Honourable the Member for War Transport—not for Railways, let me remind the House, but for war transport, which means the successor during the war of the old Communications Department, covering all forms of transport at present on the ground,—shall I say—he seemed to indicate that it was not possible to do much about these matters during war time. He threw back Mr. Laughton's proposals at the General Managers and said that what they should do would be to write letters to the War Transport Member in their odd spare moments, making any kind of suggestions that they saw fit—when in restaurants, railway cars, travelling on their bicycles, to and from their offices,—in their spare moments; and he concluded his speech with an unusually rhetorical passage when he said that the ball was at their feet. As I want to prevent that ball eventually being kicked into the wastepaper basket, I want to carry this question a stage further. Let me deal with rationalisation of transport and the future control and management of railways. I admit that it is difficult now to anticipate post-war conditions; but there are certain facts which stare us in the face today. One is that 33 per cent. of all the cavalry and infantry units have been trained to a trade and that a very large number of these have been trained to the operation of mechanical transport. Therefore, after the war there will be enormous numbers of transport vehicles and trained drivers and mechanics available. What are you going to do with them? The problem which will confront the country and in particular the railways can be dealt with by one of two ways. The first way would be to leave them alone and allow conflicting interests to fight it out. The

second way would be to begin to plan for it now, and that is the method I suggest. Surely, the experience which has been gained during war time by the War Transport Department itself in the rationalisation of road, rail and water communications should not be discarded. I realise that this means close co-operation between the Centre and the Provinces; but I suggest that provinces should now be asked to prepare extensive road construction and betterment programmes ready to be put into effect after the war. Heaven knows such a programme is badly needed. As long ago as 1928, the Development Committee reported that the development of railways had outstripped that of roads; and I saw some calculation recently to the effect that, assuming that all earth roads and cart roads are made navigable in all weathers, in British India there would still only be one mile of road to three square miles of area; whereas in the United States, where the number of roads is not enormous under modern conditions, there is one mile of road to every one square mile of area. Now, it may be asked by my Honourable friend, what has this to do with railways? It has everything to do with the railways. Both roads and railways are national assets; therefore they really ought to grow together; they are complementary, one to the other. The roads should really feed the railways, and not deprive them of their just traffic. Similarly the railways should serve the roads and not do their best to drive motor transport off them. Thus at the Centre, my Honourable friend's Department has a vital interest in the road programmes of the provinces. What does he know about them? Are any being prepared? If they are being prepared, are they being studied by his department? How are they going to finance them? What about a rupee loan for the development of India's transport, both road and rail, after the war? I understand that, before the war a little over six crores a year were being spent on roads. When I see railway finances and look at their depreciation fund of 94 crores and their reserve fund of 9½ crores, I wonder where is the depreciation fund and where is the reserve fund for the roads, all of which are suffering almost equal deterioration with the railways today. After the war, therefore, not only should there be money available for the restoration of the railways, but there should be money available, from the centre if necessary, for the restoration of the roads and for a really comprehensive forward capital programme of road construction. Road and rail are the two limbs of a single national transport system, which is as

3 P.M. essential to the agriculturist in peace time as it is to the defence of the country in war time. That is a problem which the Railway Board and the War Transport Department should be studying now; and it will not wait until after the war.

The second point I wish to touch on is the future control and management of the Railways. Although the Federal provisions of the Government of India Act are technically in suspense, we are informed on no less authorities than the Muslim League and the Congress, that they are in fact as dead as Queen Anne or Cleopatra. Presumably the same applies to the Federal Railway Authority which has never been established, and to the provisions relating to that body. I should like to ask whether the Railway Board have any idea as to whether it will ever be established. During the last few years they have acquired a number of railways previously operated by companies. What is the future organisation of the Railways to be? India has built up an enormous State enterprise. Consolidation and State management obviously have certain advantages but there is such a thing as the "penalty of being big". Bureaucracy never ran a business efficiently in its life, never can and never will. Railways are a big business whose motto, we are told, is service rather than profits. Service itself depends upon efficiency. The Railways should maintain their identity and their competitive character. But, how to achieve that, when they are controlled by the State? Perhaps the best method would be through the establishment of a statutory body under legislative control as to principle and policy but free to operate as a business organisation supported by the resources

[Sir F. E. James.]

of the State; as a public utility company, whose object is not profit for its shareholders but cheap and efficient transport for its citizens and their trade and commerce. What is to be the relation of the Railways to the Legislature of the future? I suggested last year that the question of a wholesale revision of the Convention of 1924 might well be undertaken now or, at any rate, preparations might be made for that inquiry. In my view, quite apart from the financial provisions of that Convention which are bound to come before the House in a few days time, there is need for reconsideration of the other provisions. The Railways are related to the Legislature through two statutory bodies, the Standing Finance Committee for Railways and the Central Advisory Council. I have very little quarrel with the Standing Finance Committee, which is the watch-dog of the Legislature; but I have always felt that the Central Advisory Council for Railways performs very little service indeed. It consists of Members of the Legislature, but it cannot and does not commit the Legislature. What, I suggest, is needed is a Council consisting mainly of representatives of commercial, industrial and rural interests and of the travelling public, which, in a sense, would be a counterpart of the Local Advisory Committees in the provinces. That was indeed the recommendation of the Acworth Committee which somehow went off the rails when the matter came before this House some years ago. Such a body might meet twice a year, not during the hustle and bustle of a legislative session.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

Sir F. E. James: Such a body would be far more useful than the Central Advisory Council whose activity only seems to reach its peak at the time when the question of the election of its members to Local Advisory Committees come up before them.

These are parts of a plan which will now be, I hope, filled in by my Honourable Colleague. I suggest that if some effort is not made now to prepare that plan the Railways and the War Transport Department will find themselves in a very difficult position when victory does come. The energies and experience stored up now will be wasted and chances of reconstruction lost. Sir, I move.

Mr. Chairman (Syed Ghulam Bhik Nairang): Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. Muhammad Azhar Ali: I wish to say something about this question of reconstruction. I entirely agree with my friend, Sir F. E. James, that we should consider something about reconstruction after the war. One does not know when the war will end. One does not know whether at the end of the war we shall be able to carry on our Railways and its management as we are doing at present. The Railways have been the greatest concern of the Government of India from the very beginning and it is still the greatest concern of the Government of India not only for war purposes but also as a business concern. The step-motherly treatment which has been given to the Roads and waterways is a matter, which, I hope, will be taken up when the reconstruction scheme is presented to the country. It is said that the Railways are a great asset. The Federal Railway scheme and the Federation have gone into the limbo. We cannot discuss them today and to discuss them would be absolutely futile. In Europe, of course, they are trying to bring out schemes of reconstruction but one cannot be sure here what will happen today and tomorrow but I think that if the Government really takes it up, as Sir F. E. James has suggested, then funds will be available to carry out this reconstruction scheme when the time for it arrives. But, Sir, I would say that talk of it at present is simply putting the cart before the horse. You have, first of all, as you say, to win the war. Then you have to provide and keep your finances intact that you may be able to spend more and more. Of course, I know that from year to year there is no deficit, but rather a surplus in the railways. We must thank

not only the War Department that our finances have become so enriched, but we should congratulate the whole of the Indian public that have subscribed to this result. Whatever schemes are produced by Government or by other Members on this side, to prognosticate about the future would be a difficult task, but I support this reconstruction scheme, but though I should say that it will simply be a matter which depends on what happens in the future.

Mr. H. G. Stokes (Bombay: European): My Honourable friend and colleague, Sir Frederick James, has dealt very ably with two of the points which seem to us to arise out of the problems of post-war reconstruction, and it now remains for me to say something about rolling stock and about housing labour. By rolling stock I mean what I may term the material reconstruction of the railways after the war. I propose firstly to say something about track. It is obviously of primary importance. You may have ample rolling stock for your needs and ample locomotives but the service you can render is governed by your track capacity. I suggest that the war must have revealed many bottle necks in the various systems where line duplication would solve great congestion and difficulties, many cases where siding accommodation is deficient and many marshalling yards which are antiquated. Again, when track is relaid I suggest that the long view be taken and that an ample margin be provided for post-war industrial development. That this development will be on a great scale cannot be doubted if one can judge by the last war, and Railways as the servant of industry should be ready to play their part. I suggest too that the strategic lines will require reconsideration in view of the changed situation after the war.

I would also say a word about electrification. Most Honourable Members must have admired, and in the case of Calcutta Members, envied the electric services in Bombay and in Madras. I think it is reasonable to say that they have revolutionised life in those cities by enabling the class, whom in England we call the black coated worker, to move out of the congested city into the healthy country. Is it too much to hope that we may some day see such developments in Calcutta where the need is less acute?

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): All these people sitting at present on the Treasury Benches have no imagination.

Mr. H. G. Stokes: A net work of suburban lines radiating from central Calcutta would open up new suburban areas in outer Calcutta and solve what is one of the most pressing problems of the worker, that of rent. The Madras suburban services, I believe, pay the Railway very well, and though the initial expense in Calcutta would be high, I do not see why the capital should earn an unattractive interest. It may be argued that there is no hydro-electric power available in or near Calcutta. That is so, but I think I am correct in saying that in Madras the power is steam-generated.

Then there is rolling stock wagons and coaching stock. The wagon supply problem is difficult not only in war but also in peace. India is a land of seasonal crops, and so, of seasonal heavy demands upon transport. If you have a supply of wagons sufficient to meet the peak of demand you may have a surplus for another part of the year. I suggest a mean between surplus and deficiency, an extension, if it is needed, of the present wagon pool and measures to make sure that the percentage of sick wagons is kept low. The Wedgewood Commission, I think, set five per cent. sick at one time as a suitable target. Then there is the question of wagon design which I regard as most important. I believe there are a number of standard designs, but if one can judge by what one sees, there must be a lot of such designs. If they can be reduced, expense will be saved by mass production and interchangeability between Railways will be facilitated. I imagine too that the war will have taught designers a great deal in respect of weight reduction.

I believe that there is already a standard third class coach, but to judge from the Honourable Member's remarks it is far from perfect.

[Mr. H. G. Stokes.]

Pandit Lakshmi Kanta Maitra: We have not seen it. Where is it?

Mr. H. G. Stokes: I believe, before I had the honour of sitting in this House a standard coach was brought to Delhi for exhibition.

Pandit Lakshmi Kanta Maitra: Sample coach?

Mr. H. G. Stokes: Yes.

Pandit Lakshmi Kanta Maitra: It has remained a sample, and it is kept perhaps as a curio by the Railway Department there.

Mr. H. G. Stokes: It surely should be possible for the experts of the Railway Board, even though we are told that perfection is unattainable, to evolve a design or designs of body suitable for all Railways and all conditions varying though they are. If such bodies are then mass produced, some of the saving in expense which results can be applied to the provision of yet more amenities for the lower class passenger.

For the upper class I plead for an extension of air-conditioning. I think one can justly claim that air-conditioning has come to stay and that it is past the experimental stage.

Pandit Lakshmi Kanta Maitra: For you people. We have water-conditioned carriages. Water drips from the top of these carriages.

Mr. H. G. Stokes: It gives you comfort, cleanliness and freedom from noise, and it gives, so I believe, to the Railways, an excellent return on their outlay. Locomotives I understand have an economic life of about 30 years and there must be many now in use which are much older. Heavy replacements will be needed. As in the case of wagons, I suggest as much of standardisation as is possible, and I suggest too that design is of the very greatest importance. We have heard with much pleasure the Honourable the War Transport Member's assurance that the manufacture of locos in this country will go ahead and the greater the measure of standardization, the more efficient will be the work. Boilers, I believe, have always been a difficulty and we should like to hear if it will be possible to manufacture them in this country.

With regard to loco design, here again I suggest the greatest possible measure of standardization and that every care be taken to secure the best advice wherever it may be available before any design is finally accepted. The war should bring a big advance in loco engineering and we should like to be sure that India will share fully in the benefit of the lessons learned.

Now, Sir, I come to housing and by that I mean not just quarters, but all that should go with quarters—water supply, medical facilities and so on. We in this Group are as anxious as anyone that the Railway worker who has given such good service should benefit from the post-war reconstruction. Dearness allowance is, however, only a temporary measure of relief whilst wages increase given in the good times may prove too heavy a burden for an undertaking in bad times. But good times or bad, we do feel that quarters on a reasonable scale are an amenity which should not be lacking for the lower paid employee. Big building schemes have been initiated in the past decade but progress has been slow and we should like to see it speeded up as part of post-war reconstruction. I mentioned medical facilities as in our view coming under housing and I would like especially to refer to anti-malarial measures. Before I retired from active business, I was closely associated with the Tea Industry in North East India. About ten years ago, we initiated such measures on a group of our estates in a very unhealthy locality. Their results have exceeded all our anticipations. Malaria has not been stamped out altogether, but it has been so reduced that it has quite ceased to be a scourge. I may mention that the Assam Bengal Railway, as it was then, co-operated with us in these successful experiments and I would like to see measures taken on the Railways wherever malaria is prevalent.

Pandit Lakshmi Kanta Maitra: Ask them to drive out malaria from the Imperial capital first.

Mr. H. G. Stokes: I think they are trying in that direction. With modern methods, I believe, success is a certainty and as I have said I speak from experience.

In conclusion we realise that the ideas roughly outlined will cost money—a great deal of money and I should like to reiterate the plea already made by my Honourable friend and colleague, Mr. Chapman-Mortimer, that in these good years the Railway Reserve Fund should be built up by generous allocations.

I support the motion.

Mr. Muhammad Nauman: Sir, I would like to support the cut motion which is before the House. It is a subject which is more abstract than concrete and, as my Honourable friend, Mr. Azhar Ali, remarked, it is not so easy to give any concrete suggestion on an abstract subject except that we have got to have a wider imagination and a wider outlook for putting our house in order when the war ends. When we talk of this, we can take into consideration the factors of developments which will come all the world over after this war. We will have to keep pace with the scientific developments in the various spheres and particularly in the channels of transport including railways. It will be better if we try to find out a scheme or make inquiries about a scheme for the electrification of the railways in the country on a larger scale than we have at the moment. The Honourable Member who preceded me has already stressed this point and I hope the Railway Board will take into consideration all the methods of developments that they can adopt in this direction after the war and also consider how they are placed now and how they may be placed after the war.

Next, we have got to take into consideration the automobile competition which will become more intense after the war than what it was when the Motor Vehicles Act was brought into operation to stifle the bus service and to give facilities to the railways. With the flow of petrol and probably a cheaper automobile being available in this country if we at all develop the motor industry here, probably the Motor Vehicles Act as it is today will not be able to save the railways from those losses which it might envisage by competition. That is also a subject for serious consideration and these things should be taken into consideration with wider outlook and broader imagination. Then, there is a feeling in the country and in the responsible quarters that after the war the aerial service may develop and may become a great competitor of the railways so far as the higher class passenger service is concerned. That situation has also got to be taken into consideration and full inquiries made on those lines so that after the war the Honourable Member in charge of the Railways may not come before the House and say that they were not prepared for these contingencies. This has always been the case during this time when the Railway Board came out with plea that they never thought that a situation will arise when they will have difficulties of transport or difficulty of locomotives and so on and so forth. We want to warn the Honourable Member for transport and to tell him that this is also a factor which should be given a serious consideration. With the development of science and the aerial development all the world over, probably India also will have to face that situation. Unless the Railway Board is prepared to take these factors into consideration and try to evolve a scheme which will be able to meet that situation, I am afraid, we may again have a series of deficits worse than what we had in the year 1936-37. We will not then be able, I am afraid, even to get as much as to pay our interest charges.

Then, Sir, I do not want to dilate on the points of housing and other things which have been touched by other Members. I have only tried to give a picture of the things that we may have to face when the post-war period comes and the Railway Board ought to be prepared to meet all conceivable contingencies.

Certainly it does involve immediately the question of better amenities for the people concerned and better facilities for travelling on more economic lines.

[Mr. Muhammad Nauman.]

Naturally, when investigations are made these factors will have to be considered, so I need not dilate on what particular facilities should be introduced in the first class and second class and Inter and third class and how many trains should be made to run. I am just trying to hint what may be the position and that the Railway Board should consider all these points seriously.

There is another factor which I should like to point, and it is this: by abolishing some lines and by removing even line rails here and there on railways, Government have reduced their capacity and I hope after the war they will think of re-establishing their net work and they should rather try to bring it to a far more better position than what it had been. The greatest consideration which a passenger may have is that he may reach a certain destination without much inconvenience or without change involving disturbance during night time particularly. If on these small lines connections are not established, the result will be that automobile transport and road service will be again preferred and will probably carry more passengers, affording more facilities to them than the railways, which may leave them at a certain place where they will have to wait on for hours and hours. These are the few points which I wanted to bring to the notice of this House and the Railway Board. With these few observations I support the motion.

Pandit Lakshmi Kanta Maitra: Mr. Chairman, I am sorry I could not be present in this House when this motion was moved. I have missed the speech made by my Honourable friend the mover. As I can see it now, it must have aroused the imaginative faculties of Honourable Members with wild dreams of the future. From the remarkable speech was made by Mr. Stokes, I had a glowing picture of the future system of railways before me with air-conditioning all round, with big building programmes, speeding up of construction,—I do not know whether he meant sky-scrapers—by big buildings,—electrification of suburban railways near about Calcutta, granting of better facilities of travel on the lines of Madras and Bombay systems, to whom, I do not know: greater allowances to railway workers—by railway workers, I do not know what he meant, what category of human beings, black or brown? Sir, all these things we have heard. The tragedy of the thing is that we have not taken a realistic view of the position. He has been at pains to discuss the post-war reconstruction of Railways in this country. But is all this going to be done by this rotten bureaucracy ruling today? Or, is it going to be done by a system of Government which is broad-based on the will of people? Who knows? It is not in our hands. Is there going to be a national Government which will take up all this programme? Nobody can say what is in store for the country. We are in the midst of a devastating war—a war which has already run more than three years and the full cycle has yet to run. What will be the conditions of this country after the war, we do not know. You are speaking of some fresher and more comfortable systems to be adopted by the public utility services, but you have nothing to say about the safeguarding of the national interests of this country. Certainly people who have the interest of their country at heart, patriotic people fired with imagination and national ideals for service of this country can achieve a lot. As I do not see before me even the dim vision of a change in this rotten and tottering system of administration, all this talk of reconstruction, so far as I am concerned, is of no use. Read the whole history of the railway administration in this country, take a dispassionate view, you will find considerable volume of opinion of economists in this country that the Indian railways are overcapitalised. My Honourable friend, Mr. Chapman-Mortimer quietly shakes his head. Is he prepared to tell me that it is not overcapitalised?

Mr. T. Chapman-Mortimer (Bengal: European): Yes.

Pandit Lakshmi Kanta Maitra: I hope he will make a speech and convince me. If he is prepared to give me that assurance I will immediately resume my seat. Look at the Railway Stations of Lucknow, Cawnpore and Poona.

All these have been built up by hundreds of thousands of rupees. But look at the condition of the third class passengers' shelters. My Honourable friend, Mr. Chapman-Mortimer, has never had the misfortune of entering the third class waiting hall. Look at the hardships and inconveniences which a third class passenger has to face at the third class counter in railway stations. Has there been any improvement in the third class counters so far? Look at the rest rooms for the big people in these big stations and look at the waiting halls meant for passengers travelling in third class and inter class. We have been putting questions after questions about the grievances of third class passengers; we have been moving, year after year in this Assembly, cut motions for greater amenities and better facilities to the third class passengers who are the real customers of Railways and who keep their lines going. We were given to understand that a new and improved type of third class carriage would be introduced in this country which would remove our main ground for agitation against the railways. I am told that one such bogey or carriage has been manufactured and put up for show. I hope Sir Edward Benthall will create a Railway Museum out of the huge profits earned by the railways during the first year of his office and preserve this coach as a piece of curio to be admired and cherished by his successors in the Railway Administration.

Again, take the question of catering to the passengers. Look at any decent train, the Frontier Mail, the Delhi Mail, the Delhi Express, there are excellent Restaurant Cais provided in these trains which are used only by the higher class passengers like my Honourable friends, Mr. Stokes, Mr. Griffiths and also perhaps by some Indians who are sufficiently civilised and anglicised. But look at the thousands of people travelling in third class. Look at the tyranny to which they are subjected at the hands of the vendors at all stations. You make complaints, you cry hoarse, but the thing is going on. The Government simply say, our reports are all right. A nose-gay or a rose in the button-hole is all that must please you. If that will not please you, then you are a perverse lot, you have no aesthetic sense. You take any aspect of the railway administration, the same thing is there. Of course, you have today that omnibus excuse, the war. So, all sins of omission and commission are covered by this war pretext. But the war came only four years ago. We have had our own experience of the railway administrations before this period. I, for myself, have nothing before me to encourage the hope that so long as this body of persons govern this country or this system of administration continues even a fraction of these schemes or even a fringe of that dream is going to be realised. Yes, I do realise that occasionally it is necessary, it is refreshing to launch out into imaginative flights. Do that by all means as a relief from the grim distress through which we are passing. But if you mean business, let us not have this tall talk when you have not a word to say about the future governance of this country. I see no hope for the future of my country. We have tried these people, but we have found them wanting. We have tried to bring them to their senses, we have tried now and then to make them understand the national view-point, but we have failed. It is not once that we pleaded before them for the construction of locomotives in the country. Year after year, we passed Resolutions drawing the attention of the Government to the locomotive position of the country. "Oh! no, they cannot be manufactured in India"—was the usual reply. Today this trouble in transport is entirely due to lack of replacements. My Honourable friend, Mr. Stokes, comforted us by saying that the construction of locomotives was going ahead; yes, so far ahead that you cannot even dimly visualise when your locomotives will be turned out from Ajmer or Kancharapara workshops, notwithstanding the reports made by experts. What is the use of drawing such a rosy, or glowing picture? You made systematic default in every respect. You have deliberately ignored our advice. It is not at all surprising that you should come to grief today.

[Pandit Lakshmi Kanta Maitra.]

Therefore, Mr. Chairman, while I sympathise with my friends in their poetic phantasies and fanciful pictures, I regret I can not be enthusiastic about this motion. If I do not directly oppose it, certainly I can not support this motion.

Maulana Zafar Ali Khan: Sir, this problem has been discussed from various angles of view. Most speakers have tried to peep into the future. I am afraid, they have not been able to lift the veil. My Honourable friend, Pandit Lakshmi Kanta Maitra who spoke just now is very despondent. He struck a pessimistic note and I am afraid, I will have to join with him. What the future will be, we do not know. Those who signed the Atlantic Charter assured the world that after this war was over and the democratic countries won the final victory, this world would be a place worth living. For whom? For the people of Europe, for Poland, for France, for Yugo-Slavia, for Greece and for all the smaller countries in Europe which are now under the heels of Hitlerism. But will India be allowed to take a share in that pleasurable life? I am afraid, no definite answer has been given to this question up to this time, although individual Americans and Englishmen have occasionally assured us that after the war was over, India will have her place in the sun. From that part of the House, from the European Group, my Honourable friend, Mr. Griffiths, reminds us of the promise he made on the floor of the House definitely that at least after the war, if the British Government do not concede the right of self-determination for India, he will be the first to raise the standard of revolt, and yesterday when I again reminded him of this promise, he said, "I am going to renew my promise". So after this war is over, what will be the condition of India; that we do not know.

So far as the Railway Department and the amenities of third class passengers are concerned, for the past 40 years, we have been watching the lot of third class passengers with feelings of great disappointment. Our Railway Department has been assuring the country that they were going to do something for the poor third class prisoners, I mean third class passengers. I think I was right when I said prisoners. There was a time when third class passengers were supposed not to have the capacity to answer calls of nature while they were travelling. There was no lavatory. There was a time when third class passengers were supposed to travel each in a space three feet square, even for a journey covering a distance of 2,000 miles. All this time, the poor third class passenger was supposed not to go to sleep. Even now, railway trains are packed like sardines. I have seen passengers hanging on to railway foot boards and some of them fall down and accidents occur. The third class passenger, if he is interested in the future, expects the Railway Member to do something for him. The question of questions is whether the third class passenger who pays crores and crores of rupees to fill the coffers of the Railway Department, is going to get further amenities or not? That is the question of the future. The future will take care of itself. We must talk of realities, talk of the present. At the present moment our plight, so far as travel is concerned, is very miserable. My Honourable friend, Mr. Muhammad Nauman, while making his speech, pointed out that after this war was over, a new world will be shaped and in that new world, the railways will have very little space. There would be aeroplanes and people would be travelling by aeroplanes. He is right to a certain extent. After the war is over, the big magnates, the rich people who are now travelling in first and second classes will have small aeroplanes of their own for going from place to place and the railways will be left only to third class passengers. It is for the present administrators of the Railway Department to see to it that after the war, if not now, something will be done for the third class passenger for which we shall thank them. With these few words, I cannot say whether I support the motion or I want it to be talked

out, but still I have some sympathy with those who are optimistic enough to think that after the war is over this world will be a place worth living.

Dr. Sir Zia Uddin Ahmad: Sir, I was engaged in the work of "reconstruction of India" in some other conference, but I thought that this cut motion is more practical than the general talk on the reconstruction of India after the war.

As far as the Railways are concerned, I think, this is just the time when we ought to make a definite plan for its future working. My Honourable friend, Maulana Zafar Ali Khan, said that the Railways will have very little part in the transport system of the country compared with aeroplanes and other forms of transport which will come into existence. Never mind. Whatever the position of aircraft may be, the Railways will always hold their own, and they will always occupy a very prominent place in the economic life of the country. I think, it is very desirable that we should now discuss not only a cut motion but by means of committees, conferences and resolutions, whatever future plans about running the Indian Railways will be. What will be the position of Railways in the competition that will become more complicated later on on account of the appearance of aircraft? We have one competitor now in automobile; we will have a second competitor in the form of aeroplanes. But in spite of that I think the Railways will hold their own, and we should try to make these Railways efficient and really useful to the country and make it a transport of public utility.

In the first place I would like to mention that though we have separated the railway finance from the general finance, this separation ought to go still further. What we have got at present is not sufficient; the separation must be taken a little bit further, and though it is not very desirable to discuss the old hackneyed question of "railway authority", but those are very convenient words and I would like to use them though the connotation will be very different. I think we ought to make a small group of people, which you might call for the present "a railway authority", which should be appointed by the Indian Legislature which will be responsible to the Legislature, and, I think, it is not fair to include this Railway Administration in the Act of the Parliament. The Parliament may lay down certain broad principles of administration, but the details of the administration of Railways ought to be left to this country. So, I think, we ought to make a definite plan for our Railways to adopt as soon as the war is over, and the first thing we ought to decide is the constitution of the body which will govern the Indian Railways and I am very keen that it should be a small statutory body created by the Indian Legislature and which should be responsible to the Indian Legislature for all the work so that the Legislature may be relieved from the day to day administration. What we discuss on the floor of the House are small matters; for instance, about the case of one man who was called Allah Baksh when he was first appointed but after 18 years it was found that his name was not Allah Baksh but Allah Baks (that is, with "seen", not "sheen") and then he was dismissed on the ground of false personation. And I pointed out to Sir Andrew Clow that when he first came to join as Magistrate he was called "Hazur Magistrate Kallu Sahib", but later on, he became Sir Andrew Clow (Clow when written in Urdu script also reads Kallu). But that is not false personation. I related this small incident to show that these are the small matters which we discuss on the floor of the House about appointments, pay, dismissal, etc. of personnel, whereas these small matters ought to be discussed elsewhere and this Legislature should only discuss and decide broad questions of policy and see that the Railways really do useful work in the country.

The other thing on which the Legislature must keep a proper control is rates and fares. This is a very important question. Our Railway Administration has got no definite principles. On one fine morning the predecessor of my Honourable friend came up here and said he had raised the rates and fares by two annas per rupee, but for what reason and for what justification was not

[Dr. Sir Zia Uddin Ahmad.]

mentioned on the floor of the House. This is a very important thing which the Legislature must keep in its own hands, that is, the question of rates and fares and it cannot be left to any other authority. That is one control which the Legislature must always have in the interest of the people and in the interest of the trade.

The other thing in which we are interested is that we do not want to have so many different units. There are 13 first class railways, and so many second class railways: Over 300 different administrations and a very elaborate system of account-keeping. One-third of the persons are employed to keep accounts, one-third are employed to check those accounts and only one-third are engaged on administrative work. This kind of division should be avoided and we should run the whole Indian Railway system as a single unit. Some people may argue that this is a very big unit, but may I point out that the total mileage of the Indian Railways is approximately the same as the total mileage of Germany, but in that case it is a smaller country whereas India is a bigger country. But it can be managed. See what is happening in America. That is a much bigger country. We can run it as a single unit, administered by a statutory body which ought to be created by the Indian Legislature. If some kind of unit is to be adopted on account of the vastness of the country, we can do it in four units, as it is done for the Army, namely, Southern Command, Eastern Command, Western Command and Northern Command. We can divide into four units and appoint four General Managers.

The other point you have to consider is that as soon as the last railway has been purchased, which will be in 1951, we should make all these railways form part of one solid unit, and the present division and sub-division should be abolished altogether. That is one improvement which we should make and we must plan for this administration now. This is the time when we ought to work on it. At present we have got three organizations, namely, the Railway Board, the General Manager's organization, and the Divisional organization. The last one is a third wheel to the coach. I think, we should have two bodies to run the administration: A central body with full responsibility and divisional system; or put the entire power in the hands of the General Managers, and under them we should have the divisional organization. In any case, we should not have three authorities; two are indispensable, one to lay down the policy and the other to administer it. But we have got at present three bodies in which there is a very great conflict of division and duplication of work. This should be considered carefully now so that as soon as the war is over, we should revise the entire machinery and in place of three bodies have only two.

The next point we have to decide is the administration of workshops and the manufacture of rolling stock. The experience of the present war has taught us that we cannot always rely on foreign countries. It is very desirable that we should get materials from other places, and I wish that every country should specialize in producing those articles for which the country is best qualified by virtue of raw materials. But since war conditions may arise at any moment, it is very desirable that we should be as much self-supporting as possible. Of course, this House has been pressing for years that we ought to manufacture engines in this country. We now realise that it was a mistake to

4 P.M. have postponed that idea indefinitely, and I think it is now time that we should think out a plan for manufacturing all the items and all the parts which are necessary for the construction of engines, coaches and wagons. We can make a plan at present for the improvement of workshops.

The next thing which still requires consideration, and the time is not very fit for it, because we cannot, at present, possibly give effect to it, is the question of gauges. There is an enormous economic waste in this. We have four or five gauges in India, and this is not very desirable. Take the broad gauge. The breadth of the coach is not broad enough for the gauge we allow.

I think the present width is quite sufficient for the English and American gauges. If we have the American gauge that is really good enough for the width which we have got. I think the present wastage is very substantial. This is one of the problems which we ought to consider and discuss when we have got leisure to do it, and give effect to it as soon as the war is over.

The next thing which we ought to consider is whether we should have first, second, intermediate, and third class carriages. Why not have two simple classes: the upper class and the lower class. Of course, many other countries have tried this experiment. I know some of the Continental countries have four classes. In England we have only three.

Dr. P. N. Banerjee: On some railways only two.

Dr. Sir Zia Uddin Ahmad: Only on those railways which have connections with the Continental trains are there first, second and third. Otherwise there are only two classes—first and third. What is the difference? A new carriage is called first class. If that becomes three years old it is converted into a third class carriage. So there is really no difference in comfort. One is a new carriage and the other an old one. The point I want to emphasize is that we should think out how to simplify the various classes and see if we cannot have only two.

We should also consider the question of foreign and local booking. We have a Tariff Board and I challenge my friend the Financial Commissioner to produce a person from the Railway Board before me and I will see whether he will be able to answer correctly questions on coaching tariff on the different railways. They are so complicated that one and the same article is put under nine different categories by the different railways. Therefore, we should simplify our coaching tariff also, and when we unify all the railways, this question of foreign traffic and local traffic will not arise.

The next question is that of finance. I think this is a very important question. I think we have queer ideas of the finances of the Indian railways. I am of opinion that our Indian railways must be viewed from the point of view of a business concern, and as such they must keep a reserve. I think that the amount of reserve which they must build up, whenever the conditions are favourable, should be equivalent to one year's expenditure, viz., Rs. 75 crores. This is the reserve which they ought to put down. The Railway Finance Committee recommended Rs. 50 crores. I thought it was too small. Even Rs. 100 crores would not be too much. But I think Rs. 75 crores should be the very minimum which we should set apart for the reserve fund, and after providing for the reserve fund we ought not to set aside a very large amount under the false name of Depreciation Reserve Fund. I am not going to discuss this further because the question will come up for discussion in connection with the Convention of 1924.

I should like to say that our funds should not be mixed up with the Government of India finances. I think the funds of the Railways ought to be separated from general revenues, not only in book-keeping but actually they should be separate, like any other business. Suppose anything happens to the finances of the Government of India! Then the finances of the railways will be separate from the finances of the Government of India; at present though on paper we are separate, in practice we are not, and I propose that we ought to separate them, not only on paper but also in practice. So this financial policy also requires consideration.

These are points on which we can think very closely now, and if any committee is appointed by the Honourable the Railway Member now to consider the reconstruction of Indian railways after the war is over, I am sure that it will be exceedingly useful and we can give effect to them as soon as the war is over, because there will be a great rush then. We shall have to construct many railways on account of the great demand and we should be ready.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member's time is up.

The Honourable Sir Edward Benthall: Sir, I accept the gentle rebuke of my Honourable friend, Sir Frederick James, who indicated that when the Chairman of the Indian Railways Conference Association put forward some proposals, I put the ball back at his feet. I did, Sir, but that does not mean that the Railway Department have not taken, and are not taking, any action. Indeed, at the time I said that some work had been done in the Railway Board. But I also added that without help we cannot possibly tackle the whole problem without detriment to the war effort. That is the position still today. In the Railway Department we are extremely pressed for staff, staff for direct war purposes, and it is not easy to find railway experts to study post-war problems in addition to that. It is true that the qualities required for the two tasks are perhaps a little different, but nevertheless it is extremely difficult to find the men to undertake the work which Sir Frederick James would ask us to do. However, I welcome his motion and I can assure him that the spirit is willing even though the flesh may be a little weak. Everything in the Railway Department nowadays has a tendency to be marked immediate or priority, and when it comes to post-war planning one must confess that there is a tendency to put it behind the immediate and priority papers.

I am sure, Sir, that the Honourable the Mover, on a cut motion on the Budget at short notice does not expect me to give a considered opinion or to make a pronouncement of Government policy. But I will try and tell him some of the ideas which are passing through my head and that of the Railway Department.

Railway reconstruction after the war is of course part of a larger problem. Reconstruction is indeed not only a Government of India problem, but it is a problem which is exercising the minds of the whole world; and, therefore, we cannot solve it in isolation and we have to co-ordinate our railway plans with the plans of other Departments of Government. Government have set up a Reconstruction Committee—I believe they met last week—and I think that the general impetus for planning of post-war reconstruction on railways and elsewhere must largely come from that committee or from any other organisation which may be set up to deal with it. In saying this, I am not trying to evade the responsibility of the railways within their own sphere. Far from it. I am merely trying to indicate that the railway problems are very much linked up with all sorts of other problems of demobilisation, reconstruction and so forth. The railways are alive to the need for work on this subject; but as I said just now, the war must be our first care. Whatever we do, we must not so divert our energies as to let down the war effort; but subject to that I entirely agree with the Honourable the Mover that the subject under discussion, in spite of what some of the speakers on the other side have said about airy visions, is not an abstract subject but one of vital practical importance to the railways and to the country as a whole, and the Railway Department cannot afford to let it go by default.

On the subject of rationalisation, Mr. Nauman and other speakers mentioned the air. He is perfectly correct. It is, I think, quite reasonable to suppose that in the post-war period upper class passengers and postal services may take more to the air. But there exists one consolation. If that is so, there is likely to be in aerial matters a high degree of organisation, and it will probably be possible to co-ordinate air and railways more easily than it will road and rail. I would not rule out the possibility of the railways themselves becoming owners of air services. I do not know what my Honourable Colleague for Posts and Air will say to that as I have not discussed it with him. It is possible that he might consider that the air should take over the railways.

On the question of provincial road policies, I am personally in entire agreement with the Honourable the Mover, and those who supported him. It is, of course, a subject primarily for the provinces themselves. It is a tremendous responsibility which they are facing after the war. They will have to find work for hundreds of thousands of returned soldiers, as the Honourable Mover has said trained in mechanical vehicles, and the probability is that a great many of them will wish to take to the roads. There are also large numbers of motor vehicles, as far as one can see, releasable from the army, which can be put on those roads. If that is so, a large responsibility rests on the provinces both with regard to the demobilisation and placing in work of those men, and also in the development of provincial road policy. I myself fully agree that such a policy ought to be put in hand.

I was asked whether I knew what stage provincial plans had reached. I do not know in detail. Road development is not in the War Transport Department, but I am aware of the fact that certain provinces have schemes in hand and we are very anxious from the railway point of view to co-ordinate with those provinces. From the point of view of the railways, the co-ordination of road and rail is a matter of vital importance. It must be viewed, not from the selfish point of view of the railways for the purpose of seeing how much we can preserve for the railways, although the railway interest must be taken fully into account. We must look at this problem from the widest point of view, the point of view of the public benefit arising from a proper co-ordination of road and rail.

The railways in any such planning must, however, be regarded as a national asset, as indeed they are; and it is in the public interest to see that that asset is properly fostered, if only because government revenues are vitally interested. This matter is largely one for the Governments of the future, but it is duty of us, who occupy these Benches today, to prepare schemes for the future, and I can assure the House that we will faithfully attend to that duty.

As regards the various phases of rationalisation of road and rail, the House will recall that the Railway Inquiry Committee of 1937, the Wedgewood Committee, advocated railway participation in road services. I think myself that this is one of the most promising features of road rail development. One thing is quite certain. The experience which we have gained in the way of co-ordinating rail and road transport must be utilised in the immediate post-war period, and I also feel that during the transition period when conditions in this country are bound to be very uncertain and disturbed, the probability is that there will need to be a continuance of priority control, at least for a period after the war in order that road and rail may return to normal in an orderly manner.

As regards railway ownership, which I touched on just now, there is in existence an extremely interesting experiment in road rail co-ordination on the North Western Railway. They have formed a partnership with an experienced motor operator to work a transport company which owns half the licensed vehicles on a road of some 48 miles, the other half of the vehicles are owned by the local motor owners' union which voluntarily agrees to let their vehicles be managed by a joint staff under the control of the transport company. In the case of the company, 60 per cent. of the capital is provided by the Governor General through the General Manager of the N. W. R., the earnings are pooled and distributed weekly on the number of trips performed by each permit-holders' vehicle. The same fares are charged by the company and by the permit-holders. There is no written agreement between the company and the permit-holders and each party has the right to call a meeting by giving a week's notice to ventilate any grievances. This experiment runs successfully; and this sort of thing augurs well for the future. Although it is one experiment out of many, and others have failed, it is the sort of thing which I think we should look forward to in the future. In

[Sir Edward Benthall.]

other provinces attempts have been made to inaugurate similar schemes. In Madras there was a very promising scheme which failed to materialise owing to the Provincial Government's desire to encourage local bodies to participate in road transport which obviously vitiated the possibilities of the railway which was willing to co-operate with the local motor owners.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I think developments of that sort are the sort of development to which railway authorities should give their minds, and I see no reason why such ideas should not be very extensively developed.

Reference was made to the Statutory Authority. I have no time to dwell on this at the moment. I was hoping when Pandit Maitra started off with his opening remarks calling for wide imagination and so forth, that he would have some constructive ideas such as indeed Dr. Sir Zia Uddin Ahmad put forward at a later stage, but I was exceedingly disappointed, I must confess. The only recommendation that I could understand to come from Pandit Maitra was a condemnation of the existing Government. I did hope that the Pandit and others would be able to put forward constructive ideas for the future, because, as I said at the Railway Conference Association, the nature of the railway administration is indeed a matter for the attention of India's political thinkers as much as the purely political problem. This is one of many administrative problems which need solution and which India must review.

As regards the revision of the Convention, I do not propose to dwell on that as time does not permit. I would only say that some of the points, such as reconsideration of the Central Advisory Council's and the Standing Finance Committee's functions, may well be reviewed when the time comes for a permanent revision of the Convention. When that time comes, whenever it does, we will place the views of the Government before the House and hope that the House will freely express its own views as to what this machinery should be. In the meantime, we will consider the functions of the Central Advisory Council and see if they can be improved.

On the subject of reconstruction and betterment, as I mentioned at the beginning, the Railway Board have not been idle. After the last war, as the House would be well aware, it was decided as a result of the Acworth Committee's report, to spend Rs. 150 crores from general revenues for the rehabilitation of the railways over a quinquennium of 1922—1927. Not all that was spent by any means; in fact, more was spent annually in 1927—30 than in the first five years, but that shows the amount of expenditure which was necessary at that time when there was no depreciation fund and no reserve to fall back upon. We have gone into the question of how many locomotives, rolling stock, rails and so forth are necessary in the immediate post-war period which is before us. In the case of broad gauge locomotives, working on a 35-year life basis, annual renewals should be 150 broad gauge locomotives, and in addition to that, there are, of course, arrears of renewals. That figure of 150 broad gauge locomotives annually enters, of course, into our calculation for the locomotive shops which are going to be constructed. The total value of those broad gauge locomotives is something like Rs. 6½ crores, and when you add to it metre gauge locomotives, coaching stock, and goods stock, when you in addition add some 162,000 tons of rails per annum, sleepers for those rails, and the buildings which will be necessary, we come to a programme of something like Rs. 19 crores per annum which might well be expected to be spent by the railways immediately after the war. I should not like the House to take those figures too seriously, not by any means as a programme. I have simply mentioned them as giving an indication of the sort of expenditure which we have been reviewing and which we have in mind may have to be spent after the war.

On the question of standardisation raised by Mr. Stokes, I need only say that for some time we have had the Standards Office in operation and that they have been concentrating on the standardisation of wagons, locomotives and so forth. I think I am correct in saying that about 78 per cent. of our stock is interchangeable between railways to-day. Standardisation will, of course, also be applied to the locomotives which will be constructed.

As regards the locomotive shops people are still saying that Government have no plan and blaming the Government for what they did not do some years ago. This plan is going forward, and yesterday in the Council of State I made quite a long statement showing exactly what the position is. I do not, Sir, propose to repeat that to-day, but I have said enough on the question of rolling stock, rails, and so forth, and on the question of locomotive shops, to show that Government are not idle and are not without plans for post war development and are indeed well ahead in this particular sphere.

On the question of housing I am fully in accord with what my Honourable friend, Mr. Stokes, said. We have plans worked out by the different railways for better housing for railway staff. At the moment those plans are in abeyance for the reason, not that we have any wish to hold them in abeyance, but that we find it difficult to get steel, cement and other materials to start construction. Those materials are being used in priority for war work. But we are extremely conscious of the need for a policy of staff housing and medical and other arrangements, and I can assure Honourable Members that this very important aspect will not be lost sight of.

My Honourable friend, Mr. Stokes, mentioned the electrification of suburban railways in Calcutta. This subject has been under consideration for a number of years and the last time that I can trace a reference to it was in 1939. The matter was then raised by the Bengal National Chamber of Commerce on the 31st July, 1939. It was pointed out by the railway representative that the estimate for the electrification of suburban railways in Calcutta was about Rs. 13½ crores and the estimated return was just over half a per cent. The officer reporting said that he did not feel justified in recommending to the Government that the scheme should be undertaken, and the Committee agreed that their proposal was not feasible. The electrification scheme was based on an assumed series of annual increases of traffic. I dare say the time will come again very shortly when we should re-examine that whole question. In the meantime, on the basis of the last examination, I think the House will probably agree that the scheme hardly seems justified financially.

I think I have covered the main points of the Honourable the Mover's four point programme. I hope I have said enough to show that the Railway and War Transport Departments are willing to undertake the responsibility of turning themselves into a Peace Communications Department and indeed that we are, in the stress of war, doing what we can to foresee the conditions and plan for the post-war period. I cannot satisfy him that we have in hand a staff engaged purely on this work but, as I say, if we can find that staff and get financial authority, which I do not doubt will be forthcoming, then I should have no hesitation in going ahead with them. Indeed, we will seek to find that staff and to respond in every way that we can to the Honourable the Mover's demand for urgent action because, as I said at the beginning, I do regard it as a matter of supreme importance, provided always that it does not interfere with the war effort.

Pandit Lakshmi Kanta Maitra: May I ask one question of the Honourable Member? The Honourable Member early in his speech said that a committee of reconstruction had already been set up and that it had been working and, if so, is that committee charged with the duty of reconstructing railways after the war or the whole economic structure of the country after the war? Who brought this committee into being—the Governor General or the Governor General in Council and, if so, why was this Assembly not taken into confidence in this matter. Nothing was heard about it.

The Honourable Sir Edward Benthall: It is under the Commerce Department and as regards the rest of the questions, I should require notice, as I was not present in the country when the decision was made.

Pandit Lakshmi Kanta Maitra: When was this committee set up?

The Honourable Sir Edward Benthall: I think 18 months ago or a year at least.

Sir F. E. James: Sir, I beg leave of the House to withdraw the motion. The motion was, by leave of the Assembly, withdrawn.

Grievances of Railwaymen re Conditions of Service.

Mr. N. M. Joshi: Sir, I beg to move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

My object in giving notice of this motion was to draw the attention of the Government of India and this House to the grievances of the workers on the Indian Railways. I do not wish on this occasion to refer to the various grievances from which the railwaymen suffer except one grievance, and that is regarding the insufficiency of the wages or the dearness allowance paid to them. I feel that the Government of India had shown utter indifference to the difficulties which the railwaymen had to suffer since the beginning of the war. The prices had begun to rise soon after the war and the cost of living was also increasing and the Government of India took no steps to increase wages or pay dearness allowance till March, 1941. In March, 1941, they started paying some dearness allowance when the cost of living had already gone up very considerably. The proposals which they made for the payment of dearness allowance, were inadequate; and on behalf of the railwaymen in India, protests were made that the proposals of the Government of India, were very inadequate. Then the prices began to go up with great strides. Then, the Government of India again took some inadequate steps to increase the dearness allowance. Again, in August last, the Government of India revised their proposals and increased the dearness allowance. In the scheme of the Government of India, there are certain defects. In the first place, they paid dearness allowance only to those people who got wages or salaries up to a certain limit. I am not saying that they should give allowance to the whole staff engaged on the railways, but the limit which was fixed by the Government of India, was inadequate. In their original proposals, they confined the advantage of the dearness allowance to people getting Rs. 60 in Calcutta and Bombay, in the case of employees in the smaller cities to those getting Rs. 50 and in other areas Rs. 30. Then, Sir, protests were made and in the case of Bombay and Calcutta, they raised the limit to 70, in other cities from 50 to 60 and in other areas from 30 to 35. Again, in their last proposals, they increased this limit also. In the larger cities, they increased the limit from 70 to 120. In smaller cities, they raised the limit from 60 to 90 and in other areas from 35 to 60. I feel, that this limit fixed by the Government of India for the eligibility of dearness allowance, should be raised to at least 200 or 250. The present limit is too small.

Then, Sir, I do not like that the system which has been introduced by the Government of India of making three different zones is really necessary at the present time. Therefore, this system should be done away with and they should give dearness allowance at equal rate to all the employees. This is the second point which I would suggest to the Government that they should bear in mind.

Then, Sir, the scheme lacks in having a really proper relation between the increase in the cost of living and the dearness allowance paid. You know, Sir, that the cost of living for the working classes in Bombay, as determined by the Bombay Labour Office, has risen from about 100 or 105 to 203 or a little more. That is, the cost of living has gone up by 100 per cent. The dearness allowances paid by the Government of India are really too small if you compare the rise in the cost of living and the allowances paid. I would suggest to the Government of India that they must fix some financial relationship between the rise in the cost of living and the allowances paid. Then, the other difficulty of their scheme is, that there is no really automatic machinery by which the

allowances will increase as the cost of living increases. Every time the Railwaymen's Federation and the Railwaymen's Unions have to make a row and hold meetings and make agitation and then the Government of India becomes awake and do something. I think that is a very wrong method of dealing with the question of the conditions work of the working classes. I would, therefore, suggest to the Government of India, to have some automatic machinery. As a matter of fact, the Committee over which the Honourable Sir B. N. Rau presided, had suggested that there should be an automatic allowance paid for certain degrees of increase in the rise. The Rau Committee suggested that for every five points of rise in prices, they should pay Rs. 1-8-0 as dearness allowance. The Government of India have not given effect to this recommendation of the Rau Committee. At present there is a very great discontent among the railwaymen because the prices have gone up and the cost of living index number has gone up very considerably and the Government of India have taken no steps yet to increase the dearness allowance paid. The Railwaymen's Federation had asked for a flat rate of Rs. 30 as dearness allowance to those who receive a salary of Rs. 200. I do not exactly remember the figure.

Mr. Lalchand Navalrai: Rs. 250.

Mr. N. M. Joshi: Then, they also want some automatic machinery for dealing with the further rise. I would like the Government of India to deal with this subject very promptly. The Honourable Member in dealing with this subject some time ago in this House, had pointed out certain difficulties. In his speech, he was good enough to pay a compliment to the staff on Indian railways, regarding their loyalty and regarding the good work which they had done and regarding their share in the prosperity of the Indian railways. I am very grateful to the Honourable Member for the recognition of the services of the staff of the Indian railways. The Indian railwaymen value the high praise which he has given to them, but they will value more a substantial addition to the dearness allowance which is being paid to them. The Honourable Member pointed out certain difficulties. He said he has to consult the Provincial Governments and the other departments of the Government of India, because any proposals which he makes or any allowances which he pays, may have some repercussion on the other departments and also may have some repercussion on the Provincial Governments. I do not wish to deal with that subject. I have no doubt that if dearness allowance is paid to workers in one industry, the other people will certainly ask for it, but the Honourable Member does not realise that if the Government of India deals with all workers together without delay, we have no objection. But they must be prompt. While considering the effect of the dearness allowance paid to railwaymen upon the postmen and upon the employees of the other Governments, the Government of India will have also to consider the effect of the dearness allowance paid to workers in other industries. The dearness allowance paid by the Government of India to the railway workers as compared with the dearness allowance paid to the textile workers in Bombay is hardly half of what the textile workers get. I am not against a joint and co-ordinated proposal being made, but it is not practicable. It is useless talking about that being done because if you begin to have co-ordination in all the industries, in all the provinces and in all the departments, you will take unnecessary time. You can go on solving the difficulties of the people who want their difficulties to be solved immediately and bring about co-ordination in the meanwhile, when the next step is due. But when the step has become due, the Government of India begin to consider the question. I know there is a grave discontent among the railwaymen on this question and I have received several telegrams. I won't read them except one which is from the railwaymen of Bombay. This is what it says:

"Bombay railwaymen's Rally under Railway Union's Joint Committee resolved indignation Boards attitude towards dearness allowance. Manifesto in Budget railwaymen's condition breaking point. Serious situation may spread throughout railways. Demand thirty rupees dearness allowance with automatic increase *plus* adequate grain facilities."

It appears that the Honourable Member is considering some scheme by which, instead of paying cash dearness allowance, he proposes to fix the prices

[Mr. N. M. Joshi.]

of articles which are to be supplied to railwaymen. There are some economists and there are some people in the Finance Department of the Government of India who consider that if you pay a little larger wages to the working classes, there will be inflation and the financial system will be upset. I am not a Professor of Economics, but I know this that the effect on the inflation of currency by the payment of the dearness allowances to a small number of people will be very small indeed. There are about 7 lakhs of railwaymen and all the organised workers taken together to whom increased allowances are paid or bonuses are paid will not be more than 20 lakhs or 25 lakhs out of a population of 40 crores.

Mr. President (The Honourable Sir Abdur Rahim): Honourable Member's time is up.

Mr. N. M. Joshi: I won't deal with that subject because it may come up again for discussion, but I can say this that the inflation which is taking place in this country is due to the wrong currency policy of the Government of India and not to the payment of dearness allowances. I hope the Government of India will accept my motion and increase the dearness allowances paid to the railwaymen and also introduce a proper automatic system for further payment of dearness allowances when the cost of living increases.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. Lalchand Navarai: Sir, I will continue from where my friend, Mr. Joshi, has left. Sir, this question of dearness allowance is disturbing the mind of employees so much that we have not only been receiving telegrams and representations during the day-time but the telegraph people come even at night, when we are fast asleep, to deliver such telegrams. I think similar things must have been happening with the Honourable Member-in-charge of Railways too. The Honourable Member for Railways has been telling us that the question was receiving Governments' serious consideration. How long is he going to consider the claim of deserving people? They are getting impatient, and there is extreme discontent among the railway employees. The consequences will be very bad. Therefore, earlier the Honourable the Railway Member decides this question and complies with their demands the better it would be for the railways themselves. Now, Sir, the cost of living has increased by over 100 per cent. I need not go into the figures of the cost of living index which have been given by Provincial Government as regards the average increase which has been registered in all provinces. Present wages of railway workers are not sufficient to meet the extra cost of living. The Rau Court Report puts it lucidly and it should be considered by the Honourable the Railway Member. There is not much time at my disposal to read out the whole thing. I would only say that there should be no discontent among the railway employees. This is what Rau Court said:—

"Railway people are engaged on vital service meant for transportation and some of them are employed on work which is even more directly connected with the war. In the case of such men, we venture to think, that it would be a mistake to reduce their standard to an extent which might tell heavily upon their health and efficiency, although they may have been content with this low standard twenty, ten or five years ago."

Now, taking into consideration the present circumstances, I think the present rate at which the allowance is being given is inadequate. It has been considered inadequate and the railway men have put forward their reasons for it. The All-India Railwaymen's Federation has demanded a flat rate of Rs. 30 on pay up to Rs. 250 in rural and urban areas as well as cities. The relief which the Honourable Member contemplates to give them is not the one which they like. They said it is inadequate. The Railway Board has provided rupees three crores for the provision shops for the railway personnel of about 8 lakhs, who will be entitled to purchase from those shops. It also includes the cost of personnel of the Supply Department. Thus the Relief

LEGISLATIVE ASSEMBLY

Wednesday, 24th February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

EFFECT OF WITHDRAWAL OF WHEAT PRICE CONTROL.

†178. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable the Food Member be pleased to state if he is aware of the fact that in the markets of Karachi, Hapur, Cawnpore and Calcutta the price of wheat remained on the 14th February at the controlled rate level, viz., Rs. 6-4-4, Rs. 5-14-9, Rs. 7-4-5 and Rs. 6-8-0 per maund respectively, and after the control in the Punjab had been withdrawn, the price level at Lyallpur rose up to Rs. 11-9-0 per maund from Rs. 5, the controlled rate?

(b) If the answer to (a) above be in the affirmative, will the Honourable Member be pleased to state if the same continues and he insists on withdrawal of control?

(c) Is it a fact that the United Provinces and Sind Governments have refused to withdraw the control price of wheat in spite of the withdrawal of control by the Central Government? If so, what effect would this non-withdrawal of control in the two Provinces lead to? What is the price level of wheat in Delhi at present? Is it generally available to public?

Mr. K. G. Ambegaonkar: (a) As regards the first part of the question, the Government of India are aware that the controlled rates at the places stated remained at the levels mentioned but are unaware of any business being transacted at these rates. The answer to the second part of the question is 'yes'.

(b) As regards the first part of the question, the controlled rates still continue nominally so far as Government of India are aware. As regards the second part the Government of India see no reason to revise their present policy.

(c) The Governments of United Provinces and Sind have not withdrawn the control price on wheat in the primary wholesale markets. The non-withdrawal is likely to result in the present supply conditions continuing unchanged in these provinces. The present price level of wheat in Delhi is Rs 11/14/- per maund wholesale. It is understood that the public have now no undue difficulty in obtaining wheat.

PAPER AND NEWSPRINT POSITION.

†179. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable the Commerce Member be pleased to state the total tonnage of paper produced in India by the paper mills and the total tonnage of paper manufactured by hand in India?

(b) What was the tonnage of paper in stock in India including imported paper with the stockists and mills on the 31st December, 1942?

(c) What tonnage of paper and news print had been imported to India during 1942 and what was the total consumption of paper in India during 1942?

(d) What was the total tonnage of paper consumed by the civil population and the newspapers during 1941 and 1942 and what was the tonnage of paper consumed by Government before the war and during the war, i.e., 1940, 1941 and 1942?

(e) What arrangements are being considered by the Honourable Member for easing the inconvenience caused to the civil population by releasing ten per cent.

†Answer to this question laid on the table, the questioner being absent.

only of the whole production of paper in India for the use of the civil population?

(f) What arrangements are being considered by the Honourable Member for giving licences for the purchase of "news reel" for newspapers (old, proposed and new ones)? Is there any arrangement for facilitating the imports of newsprint for the old and proposed newspapers who are waiting for permission?

Mr. T. S. Pillay: (a) The production of paper of all kinds excluding newsprint for 12 months ending December, 1943 by paper mills in India is estimated at about 96,000 tons. Definite information with regard to the production of hand-made paper is not available but it is believed that the productive capacity in this respect is about 2,200 tons per annum.

(b) I regret that the information asked for by the Honourable Member is not available.

(c) Imports during the first eleven months of 1942 amounted to 13,165 tons of newsprint and 11,460 tons of other paper including boards and old newspapers. It is difficult to give any accurate information about total consumption of paper. An estimate for 11 months of calendar year 1942 puts it at 112,416 tons. The requisite figures for the calendar year under the above headings are not available.

(d) I presume that the Honourable Member includes newsprint in the term "paper" used in the first part of the question. Estimates of the consumption of paper by the civil population and the newspapers can at best be very rough and according to the information available they may be put at about 161,000 tons for the year 1940-41 and 119,000 tons for the year 1941-42. As regards the second part of the question, I may explain that Government's accounts for consumption of paper are kept by financial years. Here again, I regret, I can only give rough figures of consumption. For the year 1938-39 the figures reported are to the order of 20,000 tons; for 1939-40, 20,400 tons; for 1940-41, 27,500 tons and for 1941-42, 36,000 tons.

(e) The order reserving 90 per cent. of Indian production of paper for Government applies only to the period ending March 1943 after which it is expected to release a much larger percentage of Indian production for civilian consumption.

(f) Newsprint in reels can be purchased by a newspaper on obtaining a Quota Allotment Certificate issued by the Chief Controller of Imports. For the import of newsprint from North America, the Government of India have accorded as high a priority as is consonant with the importance of this commodity in relation to other cargo offering for shipment. A copy of a Press Note on the subject recently issued is placed on the table.

PRESS NOTE.

Supply and Distribution of Newsprint.

The position in regard to the supply and distribution of newsprint was recently discussed with representatives of the Indian and Eastern Newspaper Society and the Indian Language and Newspaper Association. As a result the Government of India have promulgated orders on February 18, 1943, further restricting sales and purchases of newsprint and prohibiting the starting of new newspapers without the previous sanction of the Central Government.

Several other suggestions for economy in the consumption of newsprint as well as for an equitable distribution of newsprint among newspapers were also made during these discussions. These suggestions are now being considered by Government.

COMMERCE DEPARTMENT;

New Delhi, February 19, 1943.

TERMINATION OF SERVICES OF INDIANS EMPLOYED BY THE CEYLON GOVERNMENT DEPARTMENTS.

180. ***Mr. Govind V. Deshmukh:** Will the Honourable Member for Indians Overseas please state if it is a fact that notices were served on Indians in Ceylon employed in such departments as the Air Raid Precaution and Supply and holding temporary, acting and substitute appointments terminating their

services from August 31st last? Is it also a fact that while the services of Indians were terminated, the evacuees from Malaya and other places were allowed to continue in service?

Mr. A. V. Pai: The Chief Secretary to the Government of Ceylon has informed us that these statements are entirely incorrect. The answer to both parts of the question is therefore in the negative.

REPRESENTATIONS FOR SUSPENSION OF HAJ PILGRIMAGE.

181. *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Indians Overseas please state if Government are aware of the fact that the *Daily Haqiqat* of Lucknow has published in its issue of January 21, 1943, on page 3 under the heading "*Haj ke mauke par His Majesty Sultan Ibn Saood ki takrir*" a speech delivered by His Majesty. Sultan Ibn-i-Saud at Mecca in which the Sultan is reported to have said that 'the Government of India have informed him that since the Associations of Indian Muslims apprehend danger of life on the way, the Government did not permit pilgrims to sail for Hedjaz. That the British Government had made arrangements to provide ships and convoys for the pilgrims, but the Muslim Associations felt that the Indian Ocean was not safe'?

(b) Is it a fact that Muslim Associations made representations to Government for stopping pilgrims from sailing this year?

(c) If the replies to parts (a) and (b) be in the affirmative, do Government propose to give the names of such Muslim Associations, and lay their representations on the table of the House or publish them for the knowledge of the general Muslim public? If not, why not?

Mr. A. V. Pai: (a) to (c). Government have seen the issue of the paper referred to. According to their information the translated report of the speech given by His Majesty King Ibn Saud is not accurate. As already stated in the Press Communique dated the 2nd October, 1942 Government consulted representatives of the Port Haj Committees, members of the Central Haj Committee who were available in Delhi and other representative Muslims.

Mr. Muhammad Azhar Ali: As the Honourable Member says that the translation of His Majesty King Ibn Saud's statement is not accurate, will the Government obtain an accurate statement and place it on the table of the House?

Mr. A. V. Pai: The Honourable Member will appreciate that it would not be proper for me to discuss in this House or comment on a speech delivered by a foreign sovereign on a public occasion.

Mr. Lalchand Navalrai: With reference to part (a) of the question, it is said that the Muslim Associations felt that the Indian Ocean was not safe. Was it a fact or was it only in imagination?

Mr. A. V. Pai: That again is a quotation from the speech which, as I have already said, I would not like to comment upon.

Mr. Muhammad Azhar Ali: Will the Government place the names of those gentlemen, who gave that opinion, on the table of the House?

Mr. A. V. Pai: I have already stated that they are representatives of the Port Haj Committees, members of the Central Haj Committee who were available in Delhi and other representative Muslims.

REPORT OF COMMITTEE FOR ENQUIRY INTO THE DEATH OF NAIMA BEGAM AT IRWIN HOSPITAL, NEW DELHI.

182. *Mr. H. A. Sathar H. Essak Salt: With reference to starred question No. 381, dated the 17th March, 1941, will the Honourable Member for Education, Health and Lands be pleased to lay on the table the report of the committee appointed to enquire into the death of one Naima Begam at the Irwin Hospital New Delhi?

Mr. J. D. Tyson: Government are not prepared to lay on the table the report of the committee appointed to enquire into the case referred to. I may however state, for the information of the Honourable Member, that the committee came to the conclusion that Dr. Sardari Lal had committed an error of judgment. Departmental proceedings were then instituted in accordance with the requirements of the Classification, Control and Appeal Rules and on the report of Major M. H. Shah, I.M.S., Additional Civil Surgeon, who largely exonerated Dr. Sardari Lal, orders of censure on him were passed by the Chief Medical Officer, Delhi, "because, while trying to persuade the father to leave his child in hospital for further observation, he failed to emphasize the dangers of the child's condition." The case was referred by Government to the Federal Public Service Commission for advice whether the punishment awarded was adequate. The Commission advised that the order passed was adequate.

Mr. H. A. Sathar H. Essak Sait: Having mentioned the findings of the Committee in short, what objection can Government have in placing the whole report on the table of the House?

Mr. J. D. Tyson: Because for one thing, the findings of the Committee were not really the last word in the case. Further material came out in the departmental proceedings against Dr. Sardari Lal.

Mr. H. A. Sathar H. Essak Sait: On a reference to the questions and answers on 17th March 1941, I find that this particular officer was reinstated as a result of departmental enquiry, even when the report of the other enquiry was before Government. What is the present position? Is he still continuing to be in office?

Mr. J. D. Tyson: He is no longer in the hospital, I think.

HELP TO DEPENDENTS OF ENEMY AIR RAID VICTIMS.

183. *Mr. H. A. Sathar H. Essak Sait: Will the Honourable Member for Labour be pleased to state:

- (a) the arrangements that have been made to succour the heirs and dependents of those who are killed or injured as a result of enemy bombing in India;
- (b) whether such arrangements for their succour will come into play immediately after the raids or the dependents are expected to go through the formalities of putting up applications and undergoing enquiries, etc., before help is rendered to them, and
- (c) the details of the help that was rendered to the citizens, especially the poorer section of Calcutta and other places in India, which were bombed by the enemy for:
 - (i) the disposal of their dead,
 - (ii) the treatment of the injured,
 - (iii) the loss of their means of livelihood, and
 - (iv) their rehabilitation generally?

The Honourable Dr. B. R. Ambedkar: (a) and (b). Provision for relief of persons injured by enemy bombing and of the dependents of those killed by such action has been made in the War Injuries Scheme prepared by Government under the War Injuries Ordinance.

Applications for relief have naturally to be made, but the procedure has been made as expeditious as possible. When the person concerned is incapable of making an application, provision has also been made to entertain applications on his behalf.

Provision has also been made for advances by employers of amounts up to Rs. 50 in each case against awards that may be made in respect of the injury or death.

A copy of the pamphlet containing the War Injuries Ordinance, Scheme and Regulations has been placed in the Library of the House.

(c). (i) and (ii). These are matters of Provincial responsibility and the Government of India are not in possession of details as to how they worked. Full advice has been given by the Government of India as to the formation of organisations for corpse disposal and the treatment of the injured and schemes on the lines recommended have in fact been put into operation. The Government of India have been informed by the Provincial Governments that the schemes worked satisfactorily. No complaints or criticisms as to their efficient working have come to the notice of the Government of India.

(iii) and (iv). The Government of India have no detailed information on these points. The scale of raiding has hitherto been light and as far as the information in the possession of the Government of India would indicate, no special problems in this connection have arisen in the case of any bombed area. It is understood that relief under the War Injuries Scheme has been granted in many cases and some cases are under investigation.

Mr. H. A. Sathar H. Essak Salt: With regard to part (b) has my Honourable friend satisfied himself that there was really no complaint of delays?

The Honourable Dr. B. R. Ambedkar: I am not aware of any.

SUPPLY OF FOOD AND RAW MATERIALS TO INDIA BY HIS MAJESTY'S GOVERNMENT.

184. *Mr. Govind V. Deshmukh: Will the Honourable the Food Member please state if His Majesty's Government have supplied food and raw materials to India? If so, were they for the Army or the civil population or for both? How much, if they were sent, were sent for the army and the civil population?

Mr. K. G. Ambegaonkar: His Majesty's Government have in the past supplied foodstuffs to the defence services in India. It is not possible to state the quantities supplied without knowing the period for which the information is required. As regards raw materials, it is suggested that the materials in respect of which information is required may be specified.

Mr. Govind V. Deshmukh: When the Honourable Member says that in the past foodstuffs were supplied by His Majesty's Government, may I know what is the period referred to?

Mr. K. G. Ambegaonkar: I am referring to the period from the beginning of the war up to the present time.

Mr. Lalchand Navalrai: How many times did the British Government supply food for the army in India?

Mr. K. G. Ambegaonkar: It is difficult to answer with regard to the number of transactions.

Mr. Lalchand Navalrai: When was the last one?

Mr. K. G. Ambegaonkar: I want notice.

Mr. Lalchand Navalrai: Have the Government made any attempt to get food further for the civil population?

Mr. K. G. Ambegaonkar: The Government have already requested His Majesty's Government to supply food for civilian population and His Majesty's Government have agreed to supply substantial quantities of wheat. Since no supplies have already so far reached India, that matter has not been referred to in the reply.

Mr. Lalchand Navalrai: May I know from the Honourable Member as to when it is expected?

Mr. K. G. Ambegaonkar: It is understood that large quantities are already on their way, and substantial quantities will reach before the end of March.

Mr. Govind V. Deshmukh: Are these quantities, which are referred to from Great Britain or from Australia?

Mr. K. G. Ambegaonkar: I understand that they are mostly from Australia.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

FORMATION OF THE UTILITY CORPORATION IN EAST AFRICA.

†185. *Sir Abdul Halim Ghuznavi: Will the Honourable Member for Commerce please state:

†Answer to this question laid on the table, the questioner being absent.

- (a) whether the Government of India have protested to the East African Government against the formation of a body called the Utility Corporation for controlling all imports into East Africa as detrimental to Indian trade and commerce, and if so, with what effect; and
- (b) whether he proposes to lay on the table the correspondence on this subject, if any, passed between him and the East African Government?

Mr. T. S. Pillay: (a) and (b). The Government of India have just received from the Government of British East Africa a communication setting forth the details of a proposal to canalise imports of certain varieties of textiles into British East Africa through an Association of established importers. This is under examination.

COMMODITIES PURCHASED FOR INDIAN AND BRITISH GOVERNMENTS AT CONTROLLED PRICE RATES.

†186. ***Sir Abdul Halim Ghuznavi:** Will the Honourable Member for Commerce be pleased to state.

- (a) what commodities are purchased by the Government of India and His Majesty's Government in India at controlled rates of prices imposed by the Government of India;
- (b) the difference in prices between the controlled prices and the commercial prices ruling in the market in respect of each of such commodity; and
- (c) whether he proposes to lay on the table a complete statement of the volume and value of each commodity purchased at controlled rate in the Indian markets by the Supply Department of the Government of India?

Mr. T. S. Pillay: Sir, the question should be addressed to the Honourable the Supply Member.

UNITED KINGDOM COMMERCIAL CORPORATION.

†187. ***Sir Abdul Halim Ghuznavi:** Will the Honourable the Commerce Member be pleased to state:

- (a) if the information contained in a Press Note which appeared sometime back stating that the Government of India had addressed His Majesty's Government suggesting that the United Kingdom Commercial Corporation should be wound up immediately after the war and that for the duration of the war henceforth the Corporation should not be allowed to extend its activities in India any further, is correct; and if so, what was the reply, if any received from His Majesty's Government to this communication; and whether he proposes to lay the correspondence on the table; and
- (b) whether Government have already replied to the communications received from the Federation of Indian Chambers of Commerce and Industry on the activities of the United Kingdom Commercial Corporation as stated by Sir Allan Lloyd, the Ex-Commerce Secretary in the Council of State during the last September Session; if so, whether the Honourable Member proposes to lay the correspondence on the table?

Mr. T. S. Pillay: (a) The Government of India have had some correspondence with His Majesty's Government regarding the activities of the United Kingdom Commercial Corporation in India. It is not proposed to lay the correspondence on the table of the House.

(b) No, Sir. Information on certain points raised in the letter from the Federation of Indian Chambers of Commerce and Industry has just been

†Answer to this question laid on the table, the questioner being absent.

received and it is proposed to send a reply to the Federation shortly. Copies of the correspondence with Federation will be placed on the table of the House.

UNITED KINGDOM COMMERCIAL CORPORATION.

188. *Mr. Muhammad Azhar Ali: Will the Honourable the Commerce Member please state if it is a fact that the United Kingdom Corporation is monopolising the Indian market?

Mr. T. S. Pillay: No, Sir.

THE RAILWAY BUDGET—LIST OF DEMANDS—contd.

SECOND STAGE—contd.

Grievances of Railwaymen re conditions of Service—contd.

Mr. Lalchand Navarai (Sind: Non-Muhammadan Rural): Sir, when I was referring to delays in payments, the Honourable the Railway Member demanded instances. Here are some.

The guards stationed at Pathankot, who get their wages on or about the 10th of the month, were not paid their wages up to 18th in December, 1942.

In January too they received their wages late. They wired to the Divisional Superintendent that they were starving and be given advance from station earnings to enable them to carry on till their wages are paid.

The temporary staff when discharged are to be paid their wages within two days of the termination of their services. This is the provision of the law, Payment of Wages Act. In August last, however, about 400 gangmen were not paid their wages till the 6th day of the termination of their service. They were roaming about at Pathankot station, and were encamped in open plots in the railway colony waiting for the payment of their salary for five days.

Let me also refer the Honourable Member to a public document which also shows that these payments are not regularly made. The Honourable Member may peruse para. 9 of the Conciliation Officer (Railways) and Supervisor of Railway Labour's Report for the year 1940-41, wherein it is stated that there were 3,201 cases of delay in payment of wages in 1940-41 as against 2,000 such cases during the previous year 1939-40.

When I put a question the other day as to why no penal action authorized by the Payment of Wages Act is taken when the irregularities are on the increase, the Honourable the Labour Member replied that it was not considered necessary. The late payments will, therefore, go on multiplying instead of showing signs of decrease.

Sir, my point was to show that there was no regularity in the payment of salaries, and how can there be regularity in distributing foodstuffs to staff stationed far away at small stations on the Railways.

With regard to the payment of dearness allowance, it should be based on the increase in the cost of living, and according to the Rau Court recommendation the allowance should be Rs. 30.

One of the items in the terms of reference to the Rau Court was how the payment of dearness allowance should be regulated in case of rise or fall in the cost of living? The Court suggested a scheme of automatic increase or decrease. They recommended Rs. 1-8-0 increase for every 5 per cent. rise in the cost of living. When I asked the Honourable the Railway Member as to why no automatic system of increase in dearness has been put into effect, he replied that he had left the increase to be decided by negotiations. Negotiations with whom? The Railwaymen's Federation. The tragedy is that even the usual half-yearly meeting which was due in January this year has not been held in spite of persistent demand. Employees are restive. At several stations on the North Western Railway they have refused to accept their salaries for January payable in this month, as a protest against the Board's indifference in connection with their demand of dearness allowance.

[Mr. Lalchand Navalrai.]

Another vexing problem is the inclusion of the rental value of free quarters in the wages. At several places employees are deprived of the benefit of dearness allowance by this inclusion. In the Central Government Dearness Allowance Rules for other than railway servants, the value of rent-free quarters is not included in the wages for admissibility of dearness allowance. And why should it happen on Railways? No employee drawing Rs. 30 and over who has not enjoyed the concession before August, 1928, will get free quarters. Therefore, free quarters is a personal concession to some people of old scale, and is not a common concession. It was given for hard conditions of service. Therefore, the house-rent should not be included in the wages.

I submit in the end that it would be much better if the Honourable Member would take the question of this decision into his hands, and if he is to consult the Federation, it should be called at once and something should be done immediately as things are becoming worse. The Honourable Member may be knowing the situation—he also receives copies of telegrams—but we know that the employees are becoming very dissatisfied. I referred to a light strike at Karachi, and if these strikes are to be avoided, it is necessary that the matter should be decided soon. I personally think that food should not be given in kind. There are many difficulties in doing so. But the matter should be decided soon in consultation with the people concerned and to their satisfaction. It is no use forcing a decision on them. In taking a decision due regard should be paid to the difficulties which will arise if relief is to be given in kind. For instance, supposing an employee is living alone at a station; his family and children are at home. How is food to be given to him and his family? I personally think there should be the automatic system of increase in dearness allowance which I have already mentioned.

Finally, I will again request the Honourable Member not to include the value of rent for payment of the dearness allowance. Besides this the food supply question should not be delayed and a decision taken in the matter as early as possible.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): This question has been thoroughly discussed on the floor of this House but I would simply suggest one or two methods which have come to my knowledge. I am told, Sir, that the North Western Railway staff at Shahdara Station are not getting their dearness allowance at all. Now, Sir, I do not see why there should be any discrimination in this matter. Sir, I am told that all the departments there—the police, the Notified Area Committee, and the post offices, are getting their dearness allowance but not the railway staff at Shahdara Station.

Sir, it is a fact that a poor man cannot make two ends meet at the present day. I think that the Government ought to look more to the condition of the poor rather than to the condition of the rich. You may be ready to supply coal, materials and foodstuffs to the Members of the Assembly or of the Council here; but it is to the dearness allowance of the poor people that you should look more and more. I should say that it is not only the grain shops that do not supply fully. It is the cost of living which has risen daily. You do not revise the scale of dearness allowance, so it is a matter of grave concern to the poor people. It is a fact that the poor men in your factories and on military duty cannot act with good hearts in their work unless they are paid properly and unless they get their dearness allowance to feed themselves and their families. With these words, Sir, I resume my seat.

Mr. Frank R. Anthony (Nominated Non-Official): Sir, some of the Honourable Members have requested the railway administration to agree to the principle of giving a dearness allowance to railway employees drawing up to Rs. 250 p.m. In my speech on the Railway Budget, Sir, I made a special plea that a dearness

allowance should be granted to those drawing between Rs. 100 to Rs. 500. And I wish to endorse, and, if possible, to strengthen that plea.

In his reply, the Honourable the Member for War Transport, did not hold out any real hope in this matter. He suggested that the railways represented but one of the many departments of Government, and they were not, therefore, in a position to take any unilateral action in this matter. But I would venture to suggest that the railways can, they should, and they must, take unilateral action in this matter, because the railways occupy an unique position as a department of Government. I think I am right in saying that the railways represent the only department of Government which is earning such a tremendously increased income as the result of the efforts of its employees. And when I ask that this dearness allowance should be extended to cover those who earn between Rs. 100 to Rs. 500, I feel sure I am not making an exaggerated or extravagant claim. If the position of these persons drawing these salaries is really analysed, you will find that they are, comparatively speaking, worse off than the menial employees. A man, let us say, who was drawing Rs. 20 to 25 before the commencement of hostilities is, as the result of various allowances, drawing almost double that wage today. I do not in any way begrudge the menial staff their increased allowance and the doubling of their wages, but I do make a most emphatic plea on behalf of those in the lower wage brackets, who are not getting a single penny by way of allowances. It may be argued that where a man, if he is drawing Rs. 300 to 400 a month, cuts out his luxuries and conventional necessities, he is quite able to meet the increased cost of living. Analyse his budget, and then ask yourself whether he can really make both ends meet. These men are not getting a single penny extra by way of any allowance. They have to meet an increased cost of living. They have got to meet a surtax and surcharge. In some provinces they have to pay a professional tax. Most of these men have on an average a family of three or four children. Owing to the lack of educational facilities in the stations to which they are posted, they are required, if they want to educate their children, to send them to boarding establishments: and Sir, the average cost, per child, in a boarding establishment, for an Anglo-Indian employee, is Rs. 40 to Rs. 50 a child. How can you expect these employees to educate their children? How can you expect them to give their children the minimum that is required by way of clothing, food, and toilet requisites?

Sir, the railway administration cannot afford to adopt a policy of drift in this matter. It is not a question, as some railway officials make it out to be, of loyalty or of patriotism. There is a no more misguided and fatuous argument. Is the Britisher less loyal and less patriotic, because he is clamouring for an increase of wages? Take up a newspaper and you will read, almost every day, that Unions of Miners and Railwaymen in England are clamouring for an increase of wages. And I venture to suggest that the cost of living in England has not risen, comparatively speaking, as it has risen in this country. Is it necessary that before the railway administration accede to the elementary rights of its employees, these employees should hold a pistol to the head of the administration; that they should back up their requests for their elementary rights by holding out the threat of a strike? I cannot understand the perverse mentality of an administration which will only concede the rights of men when these rights are backed up with a certain sanction. You place a premium on bartering and strikes. I plead not for those who bargain or barter, but I plead for your most loyal workers, for those who refuse to bargain or to barter for their service, who refuse to descend to the bargaining methods of the market-place. I plead for their elementary rights. Believe me, when I say that today a man drawing Rs. 200 to Rs. 250, even if he keeps his expenditure to an irreducible minimum, cannot make both ends meet. As I mentioned in my Budget speech, in the last war, I believe, the railways did not earn as

[Mr. Frank R. Anthony.]

much as they are earning today. Yet, in the last war the railway administration granted an all-round increase of wages, which covered the highest wage brackets. I am not pleading that the man drawing Rs. 800 to Rs. 1,000, or more, should be given a dearness allowance, but I do plead for those getting up to Rs. 500 a month. What do you propose to do with your increased earnings? Are you going to persist in treating your men in the present niggardly and step-motherly fashion that you are treating them? If you persist in this, then you will necessarily expose the railway administration to the charge that it is going to use its increased earnings to pay increased dividends to the shareholders. This is a matter of the most burning and, I submit, the most justifiable resentment. If the railways refuse to accept the plea, I am making, you will inevitably undermine the thoroughness and efficiency of the workers, who, today, form the mainstay and backbone of your administration. I am asking for a remedy which, I believe, the railways can make to meet this real need of the railwaymen. And I can assure the railway administration that it will inevitably lead to greater efficiency, greater keenness and greater enthusiasm on the part of your workers.

Then there is another point which I would like to advert to on this omnibus cut motion about grievances. I refer to the crying need of the employees on the Madras and Southern Mahratta and South Indian Railways in respect of an education subsidy. I believe that these two railways are the only railways that are backsliding in this matter. All the other railways give a per capita subsidy to the children of railwaymen to enable these railwaymen to educate their children when they do not have local educational facilities. And may I submit that usually the railwayman is posted to a station where he has either no educational facilities or facilities of a most inadequate and elementary nature? After the fourth standard he is obliged to send his children to a boarding establishment, and today in the face of the increased and increasing cost of living, he cannot, because you do not even choose to give him a paltry dearness allowance, continue to educate his children in the absence of a subsidy. I am grateful to those railways which are subsidising the education of the children of their employees. This subsidy is not a matter of favour or concession. I submit it is a matter of duty which the railways should fulfil; it is the ear-mark and characteristic of any enlightened administration to cater, if it can, for the educational needs of its employees' children. I do not say that the railways can afford to grant free education—free elementary or secondary or high school education—to all the children of its employees; but you can help them to reduce the cost of their education by granting this educational subsidy. And as I have submitted it is only the M. and S. M. and S. I. Railways which are backsliding in this matter. The other railways are granting it and I would be most grateful to the Honourable Member if he would give his early and favourable consideration to my request and bring these railways into line in the matter of this educational subsidy.

Mr. T. T. Krishnamachari (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Mr. President, I support the cut motion of my Honourable friend, Mr. Joshi—I want the administration to consider the question of revising the dearness allowance, the question of revising the classification of areas and the amount of dearness allowance given to workers on the basis of areas A, B and C. In the province from which I come, there is a considerable amount of agitation among the railway workers on the question of classification of areas. Any classification is bound to be arbitrary. Though there might have been some justification for it at the time when the classification was made. If the ruling prices of primary commodities are taken into account today, I see no justification for these classifications remaining now. In point of fact, the cost of living in up-country areas which are classed B and C is perhaps in some

instances greater than the cost of living in the cities. The enormous rise in the prices of primary commodities, which has taken place in the last six months, has neutralised any advantage that workers in up-country areas might have had; and it must also be said that there is a considerable amount of heart-burning amongst those workers who are in up-country areas who find that the cost of living has risen so much since the time when the areas were classified, and that their compatriots the cities are getting more by way of dearness allowance, while they themselves are getting less. The question of classification has got to be re-examined, I think, in the light of the prices now ruling all over India. With the increase in the prices of commodities, there is little justification for three classes. I must say that in my province, the cost of living in up-country places like Bitragunta, about one hundred miles from Madras, is much greater than Madras itself, and I would suggest to the railway administration that there is an urgent case for removing the grievances of railway workers and if necessary, for abolishing this classification.

The second point I want to refer to is that the amount of dearness allowance given is inadequate. The amount was fixed about seven months ago, and conditions today are not similar to conditions then. I might urge as an additional reason that in some European firms—and I would like to be corrected by my European Group friends if I am wrong—the dearness allowance is given on the basis of index figures given by the Calcutta Chamber of Commerce; and I believe that the amount they are giving now works out to a flat rate of Rs. 14—I am sure, the railway workers will not to be satisfied with this amount, but I think other organisations have shown the lead for computing the allowance for Government to follow. You might ask how is this to be achieved, how can you go on increasing the dearness allowance? There must really be a sort of moving equilibrium in order to fix the dearness allowance. It is true that the dearness allowance must bear some relation to the cost of living. The question of inflation because labourers are paid more, does not really come in. If the government have a moving equilibrium basis, based on the cost of living index, and increase the dearness allowance automatically, then the room for agitation will well-nigh disappear; though it is true that there will be hard cases even then, and some people might be dissatisfied; but what really has to be done is to remove the major cause for dissatisfaction; and unless this is done by means of a moving equilibrium and not a fixed amount—ten or seven rupees as the case may be—the grievances are bound to exist. I feel that there is a crying need for looking into these grievances of the railway workers, both as to the basis of the classification of areas and the amount of dearness allowance; and I commend to the Government the suggestions put forward by my friend, Mr. Joshi, and others in the matter.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, there are just two comparatively minor points on which I should like to touch before turning to the major subject of the motion. The first concerns the point which was made by Mr. Anthony in respect of educational assistance. My information is that the subordinate staff, to whom I think he referred, are given on state railways an educational assistance up to Rs. 15 per child and Rs. 60 per family; but I have no information as to what is given on the company-managed railways, and I assure him that I will look into the matter.

The second point concerns the question of late payment of wages raised by my friend, Mr. Lalchand Navalrai. I will also look into that question, but I would point out, as I think he himself understood, that in fact there is a regular machinery for seeing that wages are paid up to date and there is in particular a Supervisor of Wages under the Payment of Wages Act, who is specially charged with seeing that the railways keep up to the mark. Nevertheless, of course, that does not absolve the railway administrations from keeping up to the mark themselves, and I will take steps to look into it.

[Sir Edward Benthall.]

On the major issue, I have already made two statements to the House since February the 15th, on the subject of dearness allowance for railway workers, and there is little more that I can add today. The Railway Department is determined to see justice done to the railwaymen and to ensure that the hardships of war and of high prices are as far as possible mitigated having regard to the treatment meted out to other Government servants, both central and provincial. When the General Council of All-India Railwaymen's Federation met in December last in Calcutta they asked in substance either that the cost of living of railwaymen should be stabilised by the sale to the workers of food, clothing and other necessities of life at stabilised rates and that stores should be opened and mobile vans provided in order to ensure that such necessities of life were readily available to them, or alternatively, that the dearness allowance should be revised in an upward direction modified in its form and extended to other classes of railway servants. Soon after the House met the Honourable Member who is the President of the Federation asked for an announcement of the policy of the Railway Department prior to the introduction of the Railway Budget. This seemed to indicate a natural desire that provision should be made in the Budget for 1943-44 for a sum necessary to carry out the policy of the Government in so far as it is possible to budget ahead, since the omission of any such sum in the Budget might be taken to prejudice the claims of the railwaymen. Sir Leonard Wilson and I were happy to make such an announcement in our Budget speeches. A budget allotment has been made for three crores of rupees for the provision of necessities of life at cheap rates which is Rs. 2½ crores more than the amount taken in the revised estimates of 1942-43 on this account. At the same time it was indicated that the total cost of dearness allowance on the basis agreed in August, 1942, was Rs. five crores per annum so that the additional sum provided offers benefits substantially in excess of the dearness allowance scheme now in operation.

The reasons for the delay in the matter of details and for our choosing the first of the railwaymen's alternative methods of doing justice to them, that is to say, the method of endeavouring to stabilise their cost of living, have been explained in my two previous speeches. Nor have we waited on the conclusion of negotiations before beginning to operate the policy, but we have for some time begun to extend the operation to grain shops. Mobile vans are in operation on some of the lines. I mention this point in response to the point made by Mr. Lalchand Navalrai.

But we recognise that there may be delay in implementing to the full the policy of stabilising the cost of living and we also recognise that some aspects of the present dearness allowance have come under criticism. We are anxious to meet the legitimate demands of the railway workers and have paid attention to the claims of the different sections of the staff. I have also taken note of the views expressed in this House. As a result I am in a position to inform the Honourable the Mover that certain modifications in the dearness allowance scheme in a favourable direction are under discussion although I am not in a position to announce them to-day. The reasons for this silence are twofold. Certain points are not finally settled and the Honourable Member would not expect me to make any piecemeal announcement. Secondly, and far more important, it has been the policy of the Railway Department ever since our Resolution of the 18th March, 1941, to endeavour to settle these matters by negotiation rather than by unilateral action. I am sure the Honourable the Mover and the majority of those who supported him will agree with this principle and I hope that the final stage of negotiations will be entered upon at a very early date. Sir, in view of this statement, I must oppose the motion.

Mr. N. M. Joshi (Nominated: Non-Official): May I ask for leave to withdraw the motion?

The motion was, by leave of the Assembly, withdrawn.

Mr. President (The Honourable Sir Abdur Rahim): The next is the Muslim League's cut motion No. 49.

Mr. N. M. Joshi: There is still time for the Unattached Members. Mr. Anthony has got a motion.

Mr. President (The Honourable Sir Abdur Rahim): I do not find it here. Mr. Nauman, Motion No. 49.

Mr. N. M. Joshi: Mr. Anthony has a motion, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Anthony has no motion in my list. Was there any notice given of the motion by Mr. Anthony? I have not got it in my list. I understand it was not included in the Party arrangement. Then Mr. Anthony cannot move it.

The Honourable Sir Edward Benthall: On the paper which I have received there is a statement that Mr. Anthony will be free to move one of his motions, but I have no information as to what particular motion he is going to move.

Mr. Frank R. Anthony: I wish to move No. 12 on the List.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have given notice of it.

Mr. Frank R. Anthony: I have given notice of it.

Mr. President (The Honourable Sir Abdur Rahim): No, no. The Honourable Member ought to have given notice to Government that he wanted to move a particular motion and he ought to have arranged with the other Parties. I do not know whether the Government is prepared to meet that motion.

The Honourable Sir Edward Benthall: I have no objection to the motion being discussed, but I would point out that it is already the subject of a Resolution which is before the House and which will be discussed again in the month of March.

Mr. N. M. Joshi: The Resolution deals with Secretariat staff, it does not deal with railwaymen.

Mr. President (The Honourable Sir Abdur Rahim): Have the Government any objection?

The Honourable Sir Edward Benthall: I have no objection.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Anthony.

Inadequate and Illusory Provisions for Appeals from Railway Employees.

Mr. Frank R. Anthony: Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

In his reply to the speeches on the Railway Budget the Honourable the Member for War Transport suggested that the picture I had drawn of conditions in the railways was inclined to be a little picturesque and even slightly exaggerated. But I can assure the Honourable Member that those conditions, though they may not be of universal application, do exist very largely on some of the railways. I am most grateful to those railways which are doing their best to satisfy the needs of the workers, but, though the conditions which I have described are not of universal application, on some of the railways they are of a most unsatisfactory nature. And any one who is conversant with these conditions cannot help but support this cut motion. I do not exaggerate when I say that on some of these railways, particularly on the G. I. P. Railway, some of the higher officers, though not all, do suppress any attempts on the part of their staff to secure redress, and suppress these attempts with gross ruthlessness. I do not doubt that they do it with the best of intentions, but they do it on the false notion that they are helping to maintain the discipline, prestige and authority of the administration. I do not exaggerate when I say—and I do not indulge in picturesque language when I emphasise—that on some of the railways men are being literally terrorised into accepting the most humiliating conditions of service. It is not necessary for me to stress not only the inadvisability but the sheer inhumanity of treating in this way men who are giving their most loyal, most selfless and most devoted service in the

[Mr. Frank R. Anthony.]

prosecution of the war. As I mentioned in my speech on the Railway Budget, I have made a most extensive tour of India and visited numerous railway centres. And when I speak on this subject, I speak with an intimate knowledge of the needs and requirements of the men. It is not necessary for me to emphasize the increasing and bitter sense of disillusionment which is spreading among the railway employees on some of the railways. All that the men ask for is not preferential or special treatment. All that they ask for is a square deal. They ask that they should get the promotions and the emoluments which they have earned and which it is the duty of the Railway Administrations to give them. They ask that no man's prospects and no man's career should be damned because of the whim or caprice of a single railway official—the whim or caprice which is almost invariably maintained throughout the different channels of appeals. And the only way to remedy this position is to supply the knowledge and the certainty not only that the men have technical and paper rights of appeal but to supply the knowledge and the certainty that every case will be really sifted and decided on its merits. Unfortunately, the subordinate staff on many of the railways today realise only too well that the provisions for appeal are nothing more than a matter of tiresome official routine in which one higher official, rather cynically and as a matter of mere routine, places his rubber seal on the opinion and the judgment of a lower official. In some cases, where the prospects and the career of a man are involved, there is not even the pretence of an appeal. For instance, many of the railways make their promotions on the principle of selection. There is nothing objectionable in this principle of selection. It is a very healthy and good principle but when you give to an official unfettered discretion in this matter, there is always not only the possibility but also the probability of a man—a highly placed official—being influenced not entirely by considerations of merit. He may be overborne either by the good looks or the pleasing manner of the recipient of his favour. I am talking about male employees. What happens to those who have been superseded. I can cite to the Honourable Member not on the floor of the House but privately cases of men who have been superseded and remain silent because they are afraid of that evil on the railways—victimisation. I can cite the cases where 10, 15, or 20 men, men with unblemished records of service, records of service equal to, if not better than, their more fortunate juniors, who have been superseded for no ostensible reason. And they are not allowed to question the reason for their supersession. They are not allowed to ask why in spite of their unblemished records of service they have been superseded and overlooked. Any attempt on their part to secure redress is scotched by that bogey of insubordination, which is the most abused weapon on the railways today. The moment a man tries to secure redress he is immediately branded as being insubordinate. Even where appeals are provided for, the course of justice can best be compared to an obstructed and fetid stream the first appellate authority is usually the Divisional Superintendent. After he has disposed of a case, a system of checks comes into operation which makes the possibility or probability of any redress not only remote but virtually impossible. After the Divisional Superintendent has dealt with appeals, the next higher appellate authority can only be approached when the lower appellate authority gives his sanction and approval. These different gradations of officials in this railway hierarchy of officialdom are vested with power which are suspiciously like those of a High Court of Judicature. Before an appeal can lie to the next higher authority, the first appellate authority has to give its sanction for the appeal. This is quite an unnecessary obstruction to the natural course of justice. The men should obviously have the right to appeal to every higher appellate authority, without the sanction or the approval of the lower appellate authority. Although the men have these paper rights of

appeal, as I emphasized in my speech on the Budget, the railway authorities—not all—but on some of the railways make it quite obvious by their attitude that they do not approve of these rights of appeal being exercised by the employees. I know of cases where men were afraid and have been afraid of putting up appeals and so long as your present system continues, they will continue to be afraid of submitting appeals and elaborating their cases before an appellate tribunal. They know that even if they succeed—because they have before them the example of men who have appealed and have succeeded—they will slowly but inevitably be ground between the wheels of official displeasure, because they dared to offend the unwritten code of the Railways that no employee should dare to question the discretion or the authority of his official superior. There is this tendency, this blind and unimaginative tendency, on the part of officials to endorse the action, right or wrong, of the lower officials. They believe in supporting—wrongly or rightly—the infallibility of the railway official. The result is inevitably not only injustice but terrible injustice. And that is why I feel that in addition to removing the present unnecessary obstruction to the rights of appeal, there should be a final appellate tribunal consisting of men with judicial knowledge and judicial experience. As far as I am aware, at present, it is the Agent or the General Manager who constitutes the final appellate authority for all appeals in railway matters. I have had cases brought before me and they are heart-breaking, because of the lack of knowledge of the most elementary rules of judicial procedure and evidence which is displayed by the average railway official. He is innocent of the most elementary principles of judicial procedure and you will find that even though the findings of the officials are wrong the higher appellate authorities blindly endorse and confirm the decision of the lower appellate authority. The only way to redress the situation is to establish tribunals consisting of men with judicial experience and judicial knowledge. I do not want to cast any aspersion on the railway official. It is not to his discredit, but he is not qualified either by training, by experience or by education to bring to bear on the cases which he is required to decide a judicial or quasi-judicial frame of mind. That is why, every day, you come across cases of the most flagrant violation of the most elementary principles of judicial procedure and evidence, which are confirmed from appellate authority to appellate authority. I would earnestly appeal to the Honourable Member for War Transport to provide a natural and absolute right of appeal, not only from railway authority to railway authority but to provide ultimately for a tribunal consisting of men with judicial experience, knowledge and training. If the Honourable Member does that, I assure him that he will remove not only this bogey of insubordination but this very real evil of victimisation. I ask the Honourable Member to accept my assertion that the curse of the railways today is victimisation. If a man attempts to proceed by way of an appeal, he is inevitably victimised. You will remove this evil of victimisation:

12 Noon. you will furnish a real tribunal where the men can hope to get real redress. I am not asking for anything unusual, extravagant or unnecessary. I am asking for elementary justice. You will assure the men that they can and will get justice and you will necessarily establish more satisfying conditions of service. You will make the men feel that the work they have given you is appreciated by you and that you will continue to appreciate the work which they are giving you and will continue to give you and that you are doing your best to meet their real needs.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sardar Sant Singh (West Punjab: Sikh): Sir, similar motions have been discussed in the past and the attention of the Government of India has been drawn several times to improve the rules of appeals in such a manner as to make them real so that confidence may be created amongst the employees of

[Sardar Sant Singh.]

other departments of the Government. But so far nothing seems to have been done. Last year too, when speaking on this subject, I brought to the notice of the Government that the decisions given by the so-called appellate authority are nothing more than stereotyped orders for which a seal might as well have been prepared and put on every appeal which an employee makes to the department. This seal should have the words: "I do not see any reason to differ from the finding of the subordinate officer". This is not the right of appeal. I pointed out then what were the provisions of the Civil Procedure Code in such matters and how they were enforced by the appellate courts when the appeals are not disposed of according to certain known principles laid down therein. I hope the new Member in charge of the Railways will look into the whole question and will ask his office to prepare a note based on the speeches made and the objections taken in this House about this right of appeal. At this time I only want to point out the illusory nature of appeals by referring to certain specific instances.

Lately, there was a case on the North Western Railway in which one Kartar Singh was promoted by the order of the General Manager from Stationmaster Grade V to Stationmaster Grade VI. Somehow or other, the Divisional Traffic Superintendent of the Rawalpindi Division in which he was serving did not like this order of the General Manager. So, what he did was that after the order had been communicated to the person who was promoted, he withheld the promotion. When this matter was brought to the notice of the General Manager, he asked his explanation, and then followed a series of charges made against him. First of all, it is inconceivable that a person who approaches the General Manager for the redress of a grievance when he feels charged with fancy charges of a vague nature, should lead to nothing. After all, he made an appeal and he succeeded in getting his appeal being accepted, and the General Manager asked the Divisional Traffic Superintendent to give him the Stationmaster Grade VI. What has been the result? The order was issued in November and he is to retire in May next and yet he has not been provided with the higher post. Instead of that, he has been degraded to the Stationmaster Grade IV although his appeal was accepted and he had been asked to be promoted to Grade VI. He has not been kept even in Grade V but has been degraded to Grade IV. What is the value of the acceptance of that appeal? This specific instance I brought to the notice of the General Manager and yet he is suffering simply because he happens to be a Sikh and the officer happens to be a Muslim. Communalism has gone so far that even when the appeal has been accepted, he has not been given his job. The papers have been retained so that he may retire and the whole thing should end in fiasco.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): The same thing is happening to the Muslim employees when the officers are of other communities.

Sardar Sant Singh: I won't claim that the others are not doing that.

Now, take the case of another man. His name is Jagjit Singh and he, too, was to be promoted to Stationmaster Grade VI and he was also working in the Rawalpindi Division. His career has been unblemished and he has been working at a place which is a military station. He has been given chits by the military officers that his work is very helpful to the Military Department. It was reported to the General Manager that he deserved promotion. The promotion has been given by the General Manager and yet it has been withheld. He has appealed and yet no orders have been passed. The orders will be issued at a time when he retires. These are specific instances which create discontent among the employees. Nobody can doubt that this discontent is due to the whims of the officers. What consolation can they derive from your Railway Budget speech in which you have paid them high compliments for their loyalty to the service in which they are? What sort of consolation can he derive from this compliment when he finds that in his individual

capacity, in spite of his approved service and in spite of his hard work, he receives such a treatment simply because he happens to belong to a minority community." Therefore, I draw the attention of the Railway Member to these two specific cases in the hope that he will look into them. If any Member of the Railway Board requires more definite information, I will be prepared to give it.

Similarly, is a case. . . .

Mr. President (The Honourable Sir Abdur Rahim): I understand that the Honourable Member is citing these cases only by way of illustration, otherwise he would not be in order as the Assembly is not a court of appeal.

Sardar Sant Singh: I am giving the general principles.

Mr. President (The Honourable Sir Abdur Rahim): I allowed him to mention those cases because I thought that if the facts alleged by him are correct that might be referred as a justification for the motion.

Sardar Sant Singh: Similarly, the discontent of the railway employees in the matter of appeals is so keen that the sooner the Railway Board takes the question into consideration the better it will be. They will be really complimenting their employees by ascertaining their grievances and not by mere words which sound very hollow to these employees when they know that in the service they are not treated as human beings. Therefore, I support the motion moved by my friend, Mr. Anthony.

Mr. Lalchand Navalrai: Sir, with regard to this question, this House has heard the complaints and the replies from time to time. Nothing has been done to revise the provisions with regard to appeals. Now, Sir, it is said in this cut motion moved by my friend, Mr. Anthony, that he wishes to discuss the question of inadequate and illusory provisions of the appeals from the railway employees. May I go so far as to say that virtually these subordinates have got no right of appeal at all? What happens is this. On every division; officers who are subordinate to the Divisional Superintendent are in charge of deciding these cases. Whenever any case comes up before the Divisional Officer for his decision, he knowing fully well that there is a right of appeal against his orders, and in order that there may not be any loophole left in his decision for appeal, takes the papers personally to the Divisional Superintendent who actually issues orders to the subordinate under his very signature. Now, I ask what kind of appeal should a subordinate make when he has already received orders passed in this manner. You say that the subordinate can make an appeal to the Divisional Superintendent. Well, when the Divisional Superintendent has already passed orders, how can you expect that he will decide these matters with a free mind or without any prejudice. He has already considered the case. He does not even call for any explanation from the subordinate to decide his appeal, because in that case there will be some semblance of consideration and objection to the decision of the Divisional Officer. Sir, this is not a new matter, it has been discussed on several occasions in this House. We got some replies from the Honourable Member's predecessor, Sir Andrew Clow, to which I will refer presently.

Now, Sir, I wish to point out that the Divisional Officer who decides such cases does not give any grounds for it. He simply says that the subordinate is dismissed or discharged or something of the kind. Even the Divisional Superintendent does not give any reasons for his decision on appeal. Now, on what grounds should the subordinate submit his appeal either for revision or some other relief? On this point Sir Andrew Clow said last year, that he had issued instructions that grounds of appeal and grounds of revision should be recorded and communicated to the appellant. That was very good and I thought that practice will be given effect to and something will be done. Now, I ask, has that practice been adopted? No. These instructions seem to be a mere dead letter. They must be lying somewhere, but I do not know where. We raised this question again and asked, if that practice was being

[Mr. Lalchand Navalrai.]

followed, a copy of those instructions may be kept on the table of the House. What was the reply given to us? Oh! they are confidential. How are we going to know what those instructions are and whether whatever the Honourable Member in charge—I mean Sir Andrew Clow—said was carried out in effect or not? One does not know at all. I think these orders should be placed on the table of the House that grounds should be communicated to the appellant, or at any rate, the Honourable Member should see and the Railway Board should also see, that these grounds are very good and sound. Whatever I have said is a fact and I hope the Honourable Member will also see that the original decision as well as the decision on appeal is virtually by the same officer. I think that there should be two things. There should be a provision for revision of the orders of the Divisional Superintendent. Grounds should be recorded and communicated to the appellant. In that case the revision can be made to the General Manager and that would give some satisfaction to the employee. What now happens is this: if any representation is made against the decision of the Divisional Superintendent or if any application is made for being forwarded to the General Manager for revision, it is withheld and not sent up to the Divisional Superintendent. What is the remedy? Therefore, I say strictly speaking there is no right of appeal.

As the Honourable Members know Subordinate Public Services Commission has been started on the North-Western Railway and is actually working at Lahore. Is it not possible that appeals should go to that Tribunal—a Tribunal which is considered to be independent and disinterested? Why should not appeals be made to the Subordinate Public Service Commission? What is this Commission started for? Of course, it is for recruitment. I say apart from the work of recruitment it would be better if a Tribunal which is disinterested should be entrusted with the work connected with appeals, so that you are able to create some confidence in the employees that their appeals are decided by a body which is independent.

With regard to the point that grounds are not being given, I hope the Honourable the Railway Member will see whether the practice is being carried out or not and whether the deciding authority is giving grounds on which appeals are rejected as well as those on which the employee should proceed further. I submit that the procedure followed at present in connection with appeals is only futile and should, therefore, be reconsidered and certain provisions be made so that the work is entrusted to the Public Service Commission.

There are cases of hardship. I know of several cases in which people have been discharged by the Divisional Officer and appeals were not sent to the Divisional Superintendent. Further representations were not forwarded to the General Manager. Therefore, either these people had to sit quiet or they had to go to court. These subordinates are not allowed to go to court because they will have to incur so much cost, especially when they have got a right of appeal in the department. I say, if these people have got a right of appeal, it should be followed. Sir, I hope that this question of appeals, which has been agitating the mind of the employees since a very long time and has been brought before this House from time to time, will be considered seriously by the Honourable Member for Railways.

Mr. N. M. Joshi: Sir, I do not wish to speak at length on this motion. This question has been debated very often. Unfortunately, the discontent that prevails among the railway workers on this point remains the same. Sir, the railway workers do not feel that as regards dismissal and discharges and security of service, there is adequate provision made in their service rules for their protection. A railway worker is dismissed and discharged sometimes very lightly. That is the feeling. The same is the feeling as regards appeal. There are appeal rules existing in the service rules. But they feel that these

appeals are only nominal or, as my Honourable friend, Mr. Anthony, has said, illusory. People feel that these appeals are not looked into properly at all. These questions of dismissal and discharge or appeals and discipline were considered very seriously by the Royal Commission and they made certain recommendations. Some of these recommendations were accepted by the Railway Board. Still the feeling amongst the railwaymen is that there is not much improvement made, although the rules have been changed to some extent. I feel, Sir, that there must be greater care taken when people are dismissed or discharged. The root of the evil is there and, therefore, when a man is to be dismissed or discharged, proper precautions should be taken. On this, the Royal Commission had made some recommendations. The Railway Board has not yet accepted the recommendations completely. The Royal Commission recommended that if a man is to be discharged or dismissed, he should have the right of personally being seen by the officer who is to discharge or dismiss him and he should have the right to be accompanied by the representative of the trade union, if he belongs to a trade union. The Railway Board has not accepted this recommendation fully. In some cases, they permit a man to be accompanied by another railway employee. The point is if he is accompanied by another railwayman and if he is to be examined by an Officer of the Railway, the railwayman cannot be expected to be frank and independent. Therefore, the Royal Commission had recommended that the man to be discharged or dismissed should be accompanied by a representative of the union. I do not know why the Government of India should object to the representative of the union accompanying the man when he wants to appear before the Officer.

Mr. President (The Honourable Sir Abdur Rahim): At 12-40, the cut motion of the Muslim League Party begins. The Honourable Member should conclude his speech soon.

Mr. N. M. Joshi: I have not much to say. I should like the Honourable Member to consider this question very seriously, especially the suggestion as regards the establishment of some kind of independent authority to dispose of cases of appeal.

The Honourable Sir Edward Benthall:—Sir, this motion is an attack on the impartiality of the senior railway staff. Now, Sir, on that general question Sardar Sant Singh asked that I, as a new Member, should look into the whole organisation. Naturally I came into the Department as a new broom looking to sweep away any cobwebs that might exist. I have looked among other things very carefully into the general attitude of the Railway Administration towards the staff. I have already recorded my opinion. I stated at a public meeting that I found in the senior staff of the Railway Administration not only justice but also humanity and I am convinced that that is a fair summing up of the position. The accusation made today is directed partly against the rules themselves, but mainly on their application by certain Divisional and other officers. I have examined these rules very carefully. Let me for instance, as an illustration, mention one or two points with regard to dismissal since there seem to be accusations in that respect. An Officer is charged with a crime for which the maximum penalty is dismissal. He has to have a charge sheet placed before him with seven days clear notice to study the charge. There is also provision for a departmental enquiry if that should prove necessary. To answer the point raised by Mr. Joshi, he can be accompanied by another railway servant.

Mr. N. M. Joshi: I should like a representative of the trade union to accompany him.

The Honourable Sir Edward Benthall: The railway servant may be a member of the union. Then, Sir, there are ample provisions laid down in the State Railway Establishment Code, Discipline and Appeal Rules, which cover various aspects of discipline and appeal. They provide that a record of the

[Sir Edward Benthall.]

penalties should be kept and they lay down very carefully in Rule 1721 what are the duties of the appellate authorities. In Rule 1720 it is provided that every appeal shall be addressed to the authority to whom the appeal is preferred through the authority from whose order the appeal is preferred. In answer to my Honourable friend, Mr. Anthony's point, I would point out that there is no discretion in the matter; it is simply an instruction as to the channel through which the appeal is to be made. I should perhaps make one other point in that connection and that is that strict instructions are laid down that the executive authority who deals with the cases should not consult his superior officer before passing orders on the case. That is to ensure that the officer who is charged with the appeal shall not be prejudiced before he sees the appeal. I think it is quite reasonable that the Railway Board should issue further instructions in that respect. I am not quite certain at this short notice what the rules are as regards the appellant employee being given the reason for his discharge. But I am certainly aware that in many cases that reason is given.

This question has come up before the House on many occasions and as I have said before the debate began, it is in fact before the House now in the form of a Resolution which has been adjourned till a day in March. It was certainly discussed in 1941 on a Resolution by Dr. Sir Zia Uddin Ahmad. He then asked that judicially minded officers should be appointed to look into appeals.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): What does "judicially minded" mean?

The Honourable Sir Edward Benthall: You will have to ask Dr. Sir Zia Uddin; I think those were his words. It may have been "officers with judicial experience". However, the intention is clear.

In the course of the debate, I think, it was amply proved that the safeguards for railway workers are in fact adequate, and that the appeal rules are adequate. They do provide that the railwaymen shall get a square deal, and as a result of that debate, orders were issued—I cannot give you the date off-hand—for the prompt disposal of appeals. Sir, from my examination of the situation I am satisfied that the system is sound. I do not believe—I do not propose to debate the point—but I do not believe that the provision for this purpose of officers with judicial experience is desirable in the railway administration. I think the proper way to carry on an administration of this sort is to make adequate regulations and to trust your officers to carry them out, but also to see that the officers have the right ideas. It is the business of the Railway Department to see that the officers have those right ideas and I will consider taking up the question of the withholding of appeals to satisfy myself that the orders are not being neglected.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): So far they have been ignored all along.

The Honourable Sir Edward Benthall: No, Sir. I do not believe that to be true.

Sir Muhammad Yamin Khan: If that were not the case, there would be no complaints here.

The Honourable Sir Edward Benthall: Sir, we hear complaints from time to time, but I should like very occasionally on the floor of the House to hear cases cited where men have been justly dismissed, because there are quite a number of them. Sir, I quite agree with the Honourable Member who is intervening that there may be occasions where officers do not fully carry out the instructions. So far as it is possible in such cases, I think it is the practice to move such officers who are bad with the staff to places where they have the least to do with the staff. But I was not in the least convinced by the cases cited by my Honourable friend, Sardar Sant Singh, because I feel that he has not heard the whole of the story. So I would suggest that there are, in fact,

dozens of officers who are conscientiously carrying out their duties, and I do not believe that there is much the matter with the administration of justice on the railways. I would like the House, if this motion is put to the vote, to express themselves strongly in favour of the view that on the whole the railway administration administers justice to its staff, but in view of the assurance which I have given to the Honourable the Mover I hope that he will withdraw the motion.

Mr. Lalchand Navalrai: May I know from the Honourable Member why it is not possible to give these appeals to the Subordinate Public Service Commission which is now working?

The Honourable Sir Edward Benthall: On the North-Western Railway?

Mr. Lalchand Navalrai: Yes.

The Honourable Sir Edward Benthall: Because that body is very fully occupied in taking up the enormous number of applications for new appointments.

Mr. Lalchand Navalrai: What I say. . .

Mr. President (The Honourable Sir Abdur Rahim): Order, Order. The Honourable Member has already made his speech. :

Mr. Frank R. Anthony: I beg leave to withdraw the motion.

The motion, was, by leave of the Assembly, withdrawn.

Recognition of Railway Muslim Employees Unions and Associations.

Mr. Muhammad Nauman (Patna and Chota Nagpur cum Orissa: Muhammadan): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. President, Sir, there was a time when the whole idea of labour organization was repugnant to the powers that be. Fortunately we have outgrown that stage and the necessity of organized labour is universally accepted. What is the principle underlying the organization of Labour Unions? The labourers individually and in scattered manner would not have influenced their employers to give them humane treatment, and for this purpose a bargaining capacity had to be acquired by collective strength of a class of labour. There is, therefore, no question of recognizing or not recognizing labour unions as such. The only question which I am to urge before the House is whether the principle of recognition can be extended further to include recognition of Muslim Unions and Associations of Muslim Railway employees. I and my Party members—the Muslim League Members—have taken some pains over this matter and have been examining the whole issue for probably over ten years and the result of our pains have led us to believe, and we have come to the irresistible conclusion, that in the peculiar conditions obtaining in India such a development is not only desirable but absolutely necessary in the interest of the labour and in the interest of the administration. For, after all, what purpose do these unions serve? What do they stand for? The whole justification for the existence of a labour union is to ensure to the members the best working conditions which includes the looking after of individual members' grievances in special circumstances and to see that large masses of labour are not left to the mercy of the employers. Therefore, as leaders of Muslim public opinion, we have before us the immense mass of Muslim labour and railway employees organized under the name and style of "Railway Muslim Employees Welfare League" at Calcutta and under the name of "Railway Muslim Employees Association" at Delhi, Lucknow and Lahore, which represents most of the Muslim Railway employees and workers on different Railways in India.

We are only discussing here the question of recognition of particular unions organized denominationally under these names. Once, therefore, the question of recognition of labour unions has been accepted, can it be argued by any employer, much less by a Government, that Unions of thousands of employees should not be recognized because they consist of a particular nation or members of a particular religion—I mean the Mussalmans. I cannot imagine any

[Mr. Muhammad Nauman.]

force of argument whenever it has been advanced that while Government does not object to the representation or recognition of unions, they do object to the recognition of unions or a group of unions because the membership consists of Muslims. If the argument is that the membership of a particular union should not consist of a particular class of people professing a particular religion, then, I suppose, all the unions in Europe should be disaffiliated because they include Christians and Christians alone. If that argument had any force, international labour conventions should have established a rule that no labour union could be organized either by a certain class of people or a nationality or by members of a certain community, or religion. Now, Sir, what are the necessary conditions which a labour organization should satisfy? That is the only question which an employer should look into and which Government is entitled to see into. Certainly it is the membership and the organized working of the said union. These can be the only test and nothing else. Whether a labour union consists of people belonging to a particular religion, or of people belonging to a certain particular creed should not be a plea for refusal or denial of recognition. If it consists of a people of a particular religion, it cannot be said that they are doing something which is against any principle of a labour organization or is contrary to any International Labour Convention.

Another point which I have got to stress is this. Conceded that labour unions have been organized and recognized in India and are in full working order, securing to its members that pretence of advantage that it is possible for unions in this country to secure at the moment. I use the word "pretence" particularly, because I still believe that labour unions are not strong enough to be able to squeeze those advantages and those working conditions which they are capable of in other parts of the world.

Now, Sir, Muslim labour have not been able to secure even that much. Muslim labour and the employees are not represented on those unions, except only a few who have been included in the list to exploit the privilege of the Muslims. I need not go further into that argument. Probably it is no secret why and how it has not been possible to have one and the same union for the two nations in this country. The leadership of those unions which have been recognised has remained confined to the members of the other community, I mean the Hindus, and to those of the other political creed, I mean the Congress. Naturally, it has not been possible for members of the Muslim League or others to include themselves in that union and organization. That is the point which I particularly want to stress. On the one hand those unions are under the leadership of Hindus, and politically under Congress influence. On the other hand they are predominantly of those sections of religion with which unfortunately in this country, we have been having bitter relations. Whether we call it fortunate or unfortunate, the position remains where it is. The fact cannot be denied. At least Muslims are not represented. Muslims have held aloof. Now if Government refuses to recognise the Muslim organization, it follows that Government is denying to the Muslim employees and workers what they are giving to non-Muslim labour on the Railways not so in form of course, but in fact on a pretext and plea which can have no justification, because when you examine things, you have got to examine things under the conditions in which we are. You cannot bring in the plea of an analogy from Europe and say that because it is not happening there you have some justification for that sort of tradition. Unless the conditions are identical, the analogy can be of no importance. As a matter of fact we have been stressing this issue for many years. We moved that and have been insisting on that indirectly from 1935 onwards. I moved a cut motion in 1939; then in 1940-41 also; in 1941-42 we walked out as a protest for the treatment which the Muslims were receiving by the Railway Department of the Government. And one of our grievances, then also, was the refusal of recognition of Muslim

employees' unions and organizations. It may be unfortunate in the opinion of the Honourable the Member for Transport or other Members of the Government, but we have to face facts. We cannot work under delusions for a very long time. You have got to know under what conditions you have to work and shape your administrative policies. We are not represented on those unions and Muslims who have taken a separatist position in all walks of life, for good or for worse, are not included in those unions of the other nations existing in this land. And if you still turn a stiff neck to the Muslim employees unions' demands, you are particularly penalizing them for no fault of theirs but only on account of your own Utopian ideas which you have conceived for reasons better known to you and which defies all principles of equity and justice. From the purely labour standpoint, it should be immaterial whether the union consists of members of one religion or not, provided it is big enough and organized enough to be capable of recognition. If you find that all the other factors are there justifying recognition, I do not suppose there can be any force in the arguments for denial by the Government as employers of labour. We Muslims of India have decided upon a particular course of action and that course of action is certainly not before this House for approval; that course of action is known to every Member of this House. We are quite decided in our minds that Musalmans are a nation, a different nation from the Hindus, and we are determined that our national existence shall find expression in all the walks of life, whether it is in general politics, or in representations to the Assemblies, Councils, local bodies, in labour unions or anywhere else. We have taken a definite stand and as I said, it is not for the approval of the House or for the approval of the Government. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up

Mr. Muhammad Nauman: We have taken up that stand on these lines, and I would say that when we have decided in our minds that we are a different nation from the Hindus, we are determined that our national existence cannot be suppressed in any walk of life and we must have a separate existence in all organisations, administrative or otherwise.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Muhammad Nauman: On these grounds we want that the Muslim unions and employees' associations should be recognised by the Government. With these words I move.

Mr. President (The Honourable Sir Abdur Rahim): Cut Motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sir Hugh Raper (Government of India: Nominated Official): Sir, I would explain that my intervention at this stage is to place before the House, in brief, the background to this question. I should here emphasise that we understand that we are dealing solely with labour organisations. In the motion which was moved, my Honourable friend, Mr. Nauman, referred to associations, and I think it should be clear at this stage that we are very definitely referring to labour organisations, as that is what unions or associations, whichever they may be called—which are recognised by railways—in fact are. The aims. . .

Mr. Muhammad Nauman: May I ask the Honourable Member—I could not follow him? Do you mean that the word "union" should be the only word, or do you object to the word "association" being there? Is that the idea?

Sir Hugh Raper: I was endeavouring to confine your case, as I understood should be so, to actual labour organisations. . . .

Mr. Muhammad Nauman: Yes.

Sir Hugh Raper: I merely wished to make that quite clear.

Mr. Muhammad Nauman: Railway employees' unions—that means labour unions.

Sir Hugh Raper: The aims of these labour unions or associations is to further the labour interests of railway employees as a whole and not of one particular community. The railway administrations and, naturally, the Railway Board also, are bound by the Government of India rules on this subject. They are contained, so far as the railways are concerned. . . . (Interruption)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not interrupt.

Sir Hugh Raper: . . . in State Railways Code, Vol. 1. Those rules provide that recognition will not ordinarily be granted, or continued, to any association unless it complies with the following conditions: (1) it must consist of a distinct class of Government employees, (2) all Government employees of the same class must be eligible for membership, and (3) it must be registered under the Indian Trade Unions Act. These are the rules upon which railways are working. The question of the recognition of associations of Government servants formed on a communal basis has been under consideration many times. But one of the very important conditions regarding railway unions is that every government employee of the same class must be eligible for membership. That very definitely rules out the communal union. We believe that there is an excellent case for unions being organised for a particular class of workers, whose interests would be the same. So far as Government employees are concerned, railway workers have different interests than the Post and Telegraph Department workers. That would be one division into classes. There is the further division within these broad classes, one, a very suitable one, that has been adopted, is between line staff and workshop staff. There is another; the accounts staff have their own union; but each of these unions that exist must be open to membership to every member of the staff of that particular class. . . .

Mr. Muhammad Nauman: May I ask one question? Supposing the Muslim employees association make it a rule that they will not debar the people of another religion, will Government recognise that, in spite of that name—Railway Muslim Employees' Association and Railway Muslim Employees' Welfare League?

Sir Hugh Raper: I would reply to that firstly, that each case has to be treated on its merits, and secondly, that in the unions that have been recognised we are not aware of a single one that has refused admission to a member of any community. There is obviously a limit to the number of unions which an individual railway can recognise. It is a difficult matter for a railway administration to have dealings with a large number of unions, and likewise if there are a large number of unions, there might be conflict amongst them; and so it has been the policy hitherto to endeavour to keep to within reasonable limits the number of unions that are recognised. Furthermore, if the number of unions should multiply, the number of union officials would also multiply and I think our already very harassed district and divisional officers would have a very considerable amount of their time spent in trying to ensure level and fair treatment to one and all.

Another point that I would like to make is this; that although from our experience we have found that there is considerable difficulty in having a number of unions recognised by one administration, the difficulty that would be present if there were communal unions would be very greatly enhanced. The working of railways depends upon the *esprit de corps* of all, the closest co-operation of all. If all members are members of one union, we should—and we believe we do—secure that co-operation in full.

Mr. N. M. Joshi: Sir, this question was discussed, I think, in 1941 on a Resolution moved by one of the members of the Muslim League Party. I took part in that discussion and I have also listened to the speech of my Honourable friend, Mr. Nauman today. The Muslim League Party has not yet told us why separate unions are necessary. It is not enough to say that the

Muslims are a separate nation and, therefore, they should have separate unions

Mr. Muhammad Nauman: On a point of personal explanation, Sir

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has made his speech and should not interrupt.

Mr. N. M. Joshi: I have listened to the speeches in 1941 and I listened to the speech of my Honourable friend, Mr. Nauman, now. If they can say or

1 P.M. . . . point out how the interests of the Muslim workers have suffered, then certainly it will be a matter for consideration whether for the protection of the interests of the Muslim workers there should be Muslim organisations or not. The only reason given is that the Muslims are a separate nation, therefore they must have a separate union. I think that is not convincing. My Honourable friend, Mr. Nauman, on this occasion and on previous occasions too had said that the trade union organisations are dominated by the Congress. I dispute that fact, I challenge that fact. It is not true to say that the trade union movement in this country is dominated by the Indian National Congress.

Mr. Muhammad Nauman: It is predominantly Congress.

Mr. N. M. Joshi: In the trade union organisation with which I am associated, namely, the All India Trade Union Congress, there are individuals who belong to the Indian National Congress, there are individuals who belong to the Muslim League, there are individuals who belong to the Hindu Mahasabha, and there are individuals who belong to the Liberal Party. There are also some individuals who belong to various other parties.

Mr. Muhammad Nauman: But it is predominantly Congress.

Mr. N. M. Joshi: The All India Trade Union Congress is not dominated by any one organisation. Let me also give some information to my Muslim friends here that one of the rules in the constitution of the All India Trade Union Congress is that no resolution on politics should be passed unless there is a three fourths majority (Interruption) and this rule prevents a controversial political resolution being passed. There was an attack made on the leadership of the trade union movement. I am not one of the leaders and so I do not think there was any attack on myself. But my friends of the Muslim League must remember that there are no Hindu interests or Muslim interests to be served in the trade union movement. The trade union movement is an economic movement it is a movement intended to protect the economic interests of the working classes in this country. So long as there is no discrimination made by the employer as regards wages and other conditions of service between Muslim workers and Hindu workers, there are really no interests served by the Hindu workers trying to dominate that organisation. As a matter of fact, it is in the interests of the labour movement that no section should dominate and our endeavour always is to make the organisation as universal and as representative as possible. Therefore, the demand made by the Muslim League that the Muslim organisation should be recognised is not a reasonable one. I repeat again, let them make out a case that the interests of the Muslim labourers have suffered. They have not suffered and if they can point out, then certainly I am prepared to consider the question whether there should be a separate organisation.

Mr. Muhammad Nauman: We have pointed out.

Mr. N. M. Joshi: My Honourable friend quoted the names of some organisations in Calcutta and in Delhi. I do not live in Calcutta nor always in Delhi, but I am fairly acquainted with the labour organisations in this country, and the organisations which have been referred to by my Honourable friend have not yet come under my notice except in the Legislative Assembly. I shall be glad to know as to the organisations which have got some strength, which have got a large membership. If they exist, I shall certainly have an opportunity of discussing with those members why they want a separate organisation, but I

[Mr. N. M. Joshi.]

have not yet come into contact with them. That is my experience of nearly 30 years in the case of labour. I feel that the Muslim workers themselves have not yet shown a desire to have a separate organisation. You have named one or two small organisations, but I can name any number of organisations in which there are a very large number of Muslim workers, for the very good reason that there is no clash of interest at all. You have given some example of an organisation which hardly exists. Nobody knows about it. (Interruption.) (Give us some more information.)

Mr. Muhammad Nauman: What more information do you want?

Mr. N. M. Joshi: I want you to give some information as to the membership, as to the class of members, what work they do—let us have some information. I am not against considering your case. If I find that the interests of the Muslim workers suffer, I shall be the first person to say that the Muslim organisation should be recognised, because workers' interests come first, and interests of the politicians must come afterwards if the politicians should have any separate interests from the workers. Last time I had made one suggestion to my friends of the Muslim League Party. They feel some amount of jealousy for the Congress or they feel that the Congress has got more support among the labourers.

Mr. Muhammad Nauman: Certainly not.

Mr. N. M. Joshi: I do not agree with that statement in the first place, that the Indian National Congress has got a dominating voice in the Trade Union Movement. We have got all sorts of politicians—there are communists, there are socialists.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): But please don't say that we are jealous of the Congress.

Mr. N. M. Joshi: I am glad to hear that you are not. I would suggest to my friends of the Muslim League Party to take a little more interest in the welfare of the working classes. I have watched the working of the Muslim League Party in this Assembly and I feel that excepting this question of recognition of Muslim Employees' Unions, they have not shown much interest in the labour movement. I would suggest to them to take some more interest in the welfare of the Muslim workers and then they will find that they cannot take a separate interest in the welfare of the Muslim workers because there is no separate Muslim welfare. I would suggest to them to make young men imbued with the spirit of service of the poorest class of people in this country. If more Muslims come forward, I am sure that the Muslim and Hindu workers will work in common in the interests of all the workers. I, therefore, feel that the case which is placed before the House is not a reasonable one, and so far as I can see, it cannot be supported because there is no need for separate organisations of Muslim workers.

Maulvi Muhammad Abdul Ghani: It has been pointed out by Mr. Joshi who professes to be the leader of labour all over India, that no case has been made out for recognition of the union called Muslim Union of Railway Employees. If my Honourable friend will care to see the object of these unions of the railway employees, he will realise that it is nothing except for representation or redress of their grievances so far as railway services of a particular class, say the lower services, are concerned. If Mr. Joshi will take the trouble of consulting the latest Administration Report on Railways, Volume I, it is given out there that in the railway services to-day the representation of Hindus has gone up from 25.47 to 34.42, that is a rise of 8.95 per cent., during the eight years commencing from the period 1934 to 1942.

Mr. N. M. Joshi: That is a political question. It has got nothing to do with the unions.

Maulvi Muhammad Abdul Ghani: During the same period the percentage of Mussalmans has gone up only by 1.98 per cent. See the difference. In

1934 the Resolution on communal composition of the services was passed. What is this position due to? It is entirely due to the Muslims being under the influence of the so called national Unions which are entirely or almost entirely composed of Hindus. The Mussalmans have no share there. The Mussalmans wanted to have a separate organisation of their own and they want to advance their cause from that platform. Now, you know the attitude of the people in this country. Take the case of the last Civil Disobedience Movement. My Honourable friend the Railway Member will come to realise the position when he knows that a grave situation was averted by the Mussalmans keeping themselves aloof from this movement. Otherwise he would have seen the consequences on the State-managed and Company-managed railways if the Mussalmans had joined the movement and damaged the communications. Then the Member of the Railway Board would have come to his senses. Rules are made by human beings. They are not Godly rules. Rules are ever changing and they are changed to suit the occasion. It is high time that the railway authorities listen to the voice of their Muslim employees. There is nobody to voice their grievances. My friend here has mentioned the names of several unions which are entirely composed of Mussalmans. My friend, Mr. Joshi, wants to know their number. It is 4,000 in Calcutta, two thousand in Lucknow and so on. It is not a union of a few persons. There are thousands at every place.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech after lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock. Sir Henry Richardson (one of the Panel of Chairmen) in the Chair.

Mr. P. J. Griffiths (Assam: European): On a point of order, Sir. Is there a quorum in the House?

(After a count was taken.)

Mr. Chairman (Sir Henry Richardson): Yes, there is a quorum in the House. Mr. Abdul Ghani

Maulvi Muhammad Abdul Ghani: Sir, just before the lunch I was speaking on the necessity of the recognition of the Muslim unions and among the reasons I adduced was the number of the Muslim employees at different places. For instance, the number of Muslim employees of railways at Calcutta is about 4,000, at Lucknow 2,000, at Lahore 3,000, at Delhi 1,000. These unions have the word "Muslim" before their names and I find that the word "Muslim" generally in these days is a very pricking one. Every effort is being made to frustrate the just claims of the Muslim nation. Whenever any voice is raised on the floor of this House on behalf of the Muslim nation, it is regarded as detrimental to the interests of other interested parties as if the Muslim nation has no claim over this country, and the authorities are generally guided by these notions. I think this is the right time to change such attitude. When the Parliament has time after time changed the constitution concerning India and when they have provided for the representation of various nations and communities residing in India, why are the officials sticking to their old ideas of prestige by saying that there is no such rule? They always take shelter behind this prestige, that there is no rule. The rules are of their own creation; they can amend them at any time they like. But it may be a fact that it does not suit them to do so because they are surrounded by the employees of the majority community and notes after notes are so managed and manipulated and prepared that the minds of even disinterested officials become vitiated and it so happens that the interests of a particular community suffer. If there was no necessity for looking after the interests of the various communities, then there

[Maulvi Muhammad Abdul Ghani.]

was no necessity for passing a Resolution like the one which the Home Department passed in 1934 reserving the rights of various minorities in India. Not only that, when the authorities found that that Resolution did not suit a particular group of people, say Anglo-Indians, they changed it and substituted it by reserving 40 per cent. of seats in the matter of railway and postal employments.

Mr. N. M. Joshi: That is for recruitment.

Maulvi Muhammad Abdul Ghani: It may be for recruitment but I am urging why such a principle was accepted not only once but it was repeated when it suited the interests of a particular community. So, there is no justification for the Railway Board or for any authority administering the railway affairs in India to take shelter under the plea that the rule is such and such and it does not allow the recognition of a particular class of people. In the very beginning I urged that the Mussalmans do not join the so-called national unions. They are national only in name, as, for instance, the Indian National Congress. It is not national at all; it is a Hindu organisation and nothing else. Because of this reason we do not like it and the world has seen it in its true colours and has realised that it is not national at all. It is a denominational political organisation. When you have recognised the Muslim League, heavens and earth will not fall if you give recognition to the union which is mostly composed of Muslim unions. The Muslim employees are not vocal at all and their interests suffer. Sir, these so-called national unions are sometimes run by Anglo-Indians and sometimes purely by Hindus. Therefore, the grievances of the Muslim employees regarding their conditions of service are not fully met with in those unions. It is for these reasons that they want the recognition of such a union in which their voice could have an effective place. I have in the very beginning said that it is due to that that it is not going on well, although there is reservation of 25 per cent. for them. The majority community is getting more and more as against the interests of the minority communities. Why? Because labourers of the minority communities, especially the Mussalmans are not vocal there. Therefore, they want an organisation of this character where they may be in a position to represent their case more effectively than they have hitherto done. With these few words I support the motion moved by my Honourable friend, Mr. Muhammad Nauman.

Sir Muhammad Yamin Khan: I confess that I have always been upto now of the opinion that a separate union for any community was not necessary. During all these years, I have been approached by somebody or the other with the request that I should support the formation and recognition of separate union for the Muslims. Whenever I was approached with such a demand I always argued against it. I was of the opinion that the unions are meant only for ventilating such grievances as are common to all people in that service and that unions should not be made to ventilate the grievances of any particular community, but for the service as a whole. This fact has been stressed and laid down here by the Government and that has always been Government's point of view. I find that my Honourable friend, Mr. Joshi, who is interested not only in labour but in other questions as well, was of the same opinion. The only reason for my conversion from that belief was that, since I became Secretary of the Muslim League Party, I began to receive lot of complaints—the volume of these complaints is tremendous. I have received so many complaints against the injustice done to individual persons in the matter of promotion and dismissal that it is not possible for any Member of this House to go through them and devote his time to all these individual cases. I think it will not be a right policy if I come here in this House and ask questions about every individual, because it is not right policy that the grievances of individuals should be ventilated here.

Mr. N. M. Joshi: President will rule the question out of order.

Sir Muhammad Yamin Khan: And very rightly too. But we have to deal with the question on a matter of principle. How are you going to ventilate

those grievances? Mr Joshi asked what is the reason for recognizing separate unions: and said that no case has been made out by the Party. As he said the Honourable the President will rule out of order questions relating to individual cases, they cannot be brought here. May I ask him, who is going to represent individual cases? An organisation. Will the general organisation as a whole take up individual cases? Well, from the complaints I have received I find that, that is not the case. I think if an injustice is done to any particular individual on the basis of his holding one religion or the other, he must have some place for representing his views.

Mr. N. M. Joshi: May I point out to my Honourable friend, even unions will not be allowed to take up such individual cases? Individuals make their own appeals.

Sir Muhammad Yamin Khan: Unfortunately, the circumstances in this country are such to which we cannot have any analogy. I would be very glad if the circumstances in this country were the same as those prevailing in England: then it will be a happy country. I shall be thinking that India has achieved her highest limit at that time. Unfortunately, we cannot ignore what India is today. I need not lay too much emphasis on this point. I would not like any Hindu Member to get up and say that members of his community were suffering because they are Hindu, or of an Anglo-Indian to be told that he could not get redress because he was an Anglo-Indian and an European member say that he could not be met with justice because he happened to be European. In the same manner, I would not like that any individual may have the feeling that he could not get justice simply because he happened to belong to the Muslim community. It is for this reason that I ask my friend, if he thinks that there are some individuals who have got grievances which are not meted out properly not on account of justice but on account of their being members of one community or the other, to consider this question. I have got a large volume of evidence, which I am ready to place before the Honourable Members. I will simply quote one or two instances out of the large number of complaints that have come to my notice. Up till now there has been a rule that the senior man must get promotion. Of course, every body knows that promotion depends entirely on the seniority in the service. But when the turn of a Mussalman comes, the rule is changed all of a sudden and he is told that promotion will not be given to the senior man but it will be made by selection and the man junior to him is selected. You have been quite good upto the last two years. The individual affected feels how is it that he has been doing good work and since the time of his promotion has come he has become bad. I do not want to take up this case. Muslim Members do not like to put questions to the effect that a man could not get promotion simply because the rule has been altered. I want an association that may approach the highest authority. It will not do any injustice to any individual. I would not mind if an Indian Association is made for the ventilation of this grievance, that a European has been promoted simply because he happened to be a European. That Indian Association can put a question on Indianisation and why so many Europeans were promoted. If we can allow the question of Indian *versus* European, I think the necessary corollary is if any branch of Indian society feels injustice, it should ventilate that grievance and there must be somebody to act as the mouthpiece. At present, if the man has any grievance and he puts in his appeal, it goes to the very person against whom he complains. It has come to my notice that in many cases if people want to put in appeals, their representations are withheld and they are not sent up to higher authorities. That is the final answer. If we are not allowed to go to higher authorities, what are we to do? We have found that a man who has been doing excellent work for, say, ten years, when the occasion comes for promoting him, all of a sudden he is given a bad name, bad remarks are made in his character roll and thus he is condemned as a bad fellow. Or it is said that it is only a temporary chance or that he

[Sir Muhammad Yamin Khan.]

was good as a subordinate but that he would not do well as an Officer and so on. Who is going to judge this? The matter is left entirely in the hands of one man. If you make any one man the sole judge, it is bound to cause a great deal of hardship to poor innocent men who have been serving loyally and sincerely for a number of years. I do not like to do injustice to any body to whatever community he might belong. If any European or Anglo-Indian or any Hindu or a Muslim feels some grievance, he should have the right to go on appeal. If I were the Officer-in-charge whose duty is to hear these appeals, I would certainly attend to every case.

The view and notion of Indian people is this. You might have seen the picture called *Pukar*. This means that you can go on appeal, if you have got any grievance, to the Emperor himself. If people could not get justice done by the officials, they could go and ring the Moghul Emperor's bell and as soon as the Emperor heard the bell, he came out and listened to the petition. Even the petition of a poor woman, a washerwoman, was heard by Emperor Jehangir and he condemned his favourite Queen to be beheaded. That is the sort of justice expected, that a *sher* and *bakra*, a lion and goat should drink from the same pool. You must do no injustice. Where is this *Pukar*? The final authority should see the petition if justice is to be done. Nobody should have the right to stop the petition from reaching the highest authority. If there is an organisation, and if they feel justified that a particular individual has really a grievance, then that organisation will put up that case. Their application must be heard. This individual will first of all have to justify his case before the organisation. The organisation must be satisfied about the justice of his cause. If this organisation behaves badly, if it takes up a case simply because it comes from a Muslim, whether it is right or wrong, of course, the organisation will lose all credit for all times. I have no doubt that this organisation will use its common sense and will devote proper time to enquire into the genuineness of the claim and then only put up his case before the higher authorities. They cannot obviously allow the case of a man who might have some fancied notion of injustice having been done to him, and to whom in fact no injustice has been done.

I have come across several cases of hardships. I have no time to narrate all of them before the House. Sometimes the post of a clerk is advertised calling for applications from Muslims. At the time of filling up the vacancy, a report is made that no Muslim candidate was forthcoming. Such kind of grievances are very numerous. I do not want to waste the time of the House by putting all these before the House. It is time that Government made an alteration in the rules to see that all cases of hardship and injustice to subordinates are put up before higher authorities without being held back. With these words I support the motion.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Sir, I have heard my Honourable friends to my right the members of the Muslim League over this cur motion. They want recognition of Muslim unions. My Honourable friend, the Mover of this motion, will excuse me if I say so. . . .

Maulvi Muhammad Abdul Ghani: That he made out no case!

Mr. Govind V. Deshmukh: I am not going to say that he made out no case, but running through his whole speech, one finds only politics. He said, we are going to have our nation in every walk of life. That was his main contention. I will come to the other points also made in his speech. My Honourable friend insisted that they should have this nation theory in every walk of life. That was his case. Well, Sir, so far as unions are concerned, the case is quite clear. You cannot have your nation so far as the question of association or union is concerned. For yourself and for other communities also, you are entitled to certain percentages, certain rights and privileges to be protected as a minority, but you cannot have it that in every walk of life you must be recognised as a nation.

Maulvi Muhammad Abdul Ghani: You can. Oh! yes.

Mr. Govind V. Deshmukh: You say, yes, I say, no. That apart, I now come to some of the points raised in the speeches. My Honourable friends can have no complaint that they are suffering because of want of separate union of their own in the matter of recruitment. That was a question in which very likely injustice would have been done and very likely separate representation was necessary. So far as recruitment is concerned, it has been decided that they shall have so much percentage, i.e., 25 per cent. and 8 per cent. for other minorities. Having fixed a certain percentage for the Muslims, the rule says that if candidates from other minorities are not forthcoming, then the candidates from the Muslim community should be taken to fill those posts also. Thus the majority community is deprived of their share.

Sir Muhammad Yamin Khan: No, no.

Mr. Govind V. Deshmukh: Read De'Souza report. There you will find that if candidates from other minorities do not come forward, they shall be taken from the Muslim community and in this way, the majority community's representation dwindles down.

Sir Muhammad Yamin Khan: For the information of my Honourable friend, I may state this, that the Muslim community gets 25 per cent., other minorities get 8 per cent., that is, the minorities on the whole get 33 per cent. and the majority community gets 67 per cent. So the majority can never be reduced to a minority.

Mr. Govind V. Deshmukh: So far as you are concerned, you not only get 25 per cent., you also get 8 per cent. which would have gone to other communities. You were not entitled to this eight per cent. However, that point has been settled. I do not complain against that rule. The rule is there. No injustice has been done to your community; if any extra favour is shown, in this particular instance, it is shown to your community. The point is that so far as the question of recruitment is concerned, where injustice may have been done, that point has been decided for you once for all in your favour.

My friend, Sir Muhammad Yamin, was on sounder basis. He pointed not so much to the nation theory as to the economic grounds. He gave us certain instances. He said supposing there is a member of the Muslim community, he is senior and according to the rules he should have been promoted but then all of a sudden the rules are changed. My Honourable friend forgets that at that time when these rules were changed there must be other Hindu members also who according to seniority should have been promoted but for these rules. So, whenever a rule is enforced it must affect persons in that particular rank without making any distinction. As a matter of fact, the grievances of unions generally are universal. Take, for instance, the dearness allowance from which members of both communities suffer. Does it make any difference whether a person belonging to this particular union is Hindu or Muslim. These unions are service unions; they are not political unions. Therefore, it is not reasonable for anybody to urge that there should be separate communal organizations. Then my Honourable friend will certainly not be able to point out that in other countries where there are other minorities, the labour organizations are run on sectional lines, that is to say, every community has different organization, on the grounds that its interest cannot be represented properly. In every country it has been found an advantage to have labour unions not in sections but as a whole.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): I do not want to interrupt, but may I point out that in South Africa, in the case of labour there are labour unions of Europeans and Labour unions of Indians.

Dr. P. N. Banerjee: Racial distinction.

Mr. Govind V. Deshmukh: I am prepared to admit what my friend says, but how has it improved matters. Instead, if there had been a union of

[Mr. Govind V. Deshmukh.]

Indians and Europeans then certainly Indian members would have got the same advantages as the Europeans. But the trouble is that there are two and you cannot reap the same advantages as the Europeans are enjoying. Therefore, I say it is better to have one union to represent both the communities. The fact referred to by my friend, Sir Raza Ali, is in my favour, and I think it is not reasonable to claim different organizations.

Sir, it was pointed out that in certain unions there are Hindu office bearers and, therefore, the Muslim interests are not looked after. I remember and I am told that in Lahore, for instance, there are certain unions of which office bearers are Muslims and it makes no difference there.

Maulvi Muhammad Abdul Ghani: Name them.

Mr. Govind V. Deshmukh: It all depends on what the grievances are and not who the office bearers are. If the union's grievances are genuine and reasonable, certainly they will get the redress, the office bearers make no difference. My Honourable friend, Mr. Lalchand Navalrai, says there are some unions in which the office bearers are Mussalmans. Under the circumstances, I submit that there is no necessity made out for the recognition of Muslim unions.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I listened with great interest the speech just delivered by my friend. We have been hearing speeches of this kind in connection with other political organizations. For many years it was held that Congress was the only authoritative body to speak on behalf of the Indians, and any organization which does not come in and does not line up with the Congress is really no organization, it does not represent any interests, or if it represents it represents only the interest of the minority concerned, and so on. But the minorities, on the other hand, always held that a political organization—may be Unions or anything else—once it is established by major community, it ceases to represent the interest of other people which they profess to represent.

Now, leaving out the political considerations altogether, I confine my attention to the recognition of unions. Let us see the history of these trade unions not in this country but in other countries because the trade unions are a very infant organization as far as India is concerned; it is not so powerful as in some other countries. It is the common experience of other countries that "a well-organized and sensible union of workers is a great asset to every industrial organization", but before that ideal stage is reached we have to pass through intermediary stages and through these intermediary stages we have all kinds of oppositions.

Mr. N. M. Joshi: What is that book from which you are quoting?

Dr. Sir Zia Uddin Ahmad: This book is written by me, but I have quoted from the International Labour Office publication, and a good deal from my friend, Mr. Joshi, himself.

Mr. N. M. Joshi: I have read that.

Sir Syed Raza Ali: You mean quotations from you, or the whole book.

Dr. Sir Zia Uddin Ahmad: We have to pass through the various stages. In the first instance, the opposition came from the employers themselves. They did not want union of these workers and they always put down strikes by any kind of organization as illegal. In the second instance, there was opposition from certain sections of labour themselves. I would request the Honourable Member to follow the history of the Labour Unions in Holland and there he will find all these things. I will read one paragraph and this is from the International Labour Office publication "Freedom of Association":

"There are at present seven principal Unions and the three most important of them are Netherlands' Federation of Trade Unions having 190,179 members, Roman Catholic Workers' Federation having 90,475 members and Netherlands' Federation of Christian Trade Unions having 48,327 members. The other Unions have also been established on political, religious and social principles."

So here we have got these unions not altogether on the lines of the work which they are doing, but also on the lines of religious principles. So, we

see that in the beginning these unions are formed on all kinds of principles and in the end, when these ideas are fully developed in the country, they gradually fuse themselves into one union. Therefore, it is impossible to start, by means of laws or by resolutions of the Executive Council, to order particular formations of unions at the earlier stages. They will have their growth. But in the later stages when they have developed, then the time will come to fuse all these unions into one common organisation, which should be acceptable to the employers as well. So what my friend has been advising us to do in the early stages will be ultimately achieved at a later stage:

"In Holland there exists no distinction in the eyes of the law between a Trade Union and a society having for its object the provisions of recreation for its members, the advancement of art or science, political activities or charity. The recognition of associations by the State is only refused, if it is contrary to public peace which is defined in Section (3) of the Art. of 22nd April, 1885, i.e., if the objects of the association are :

- (i) disobedience to or breach of the law of the land or of regulations in accordance therewith;
- (ii) attacking or corrupting morals;
- (iii) interfering with the exercise of the rights of any person whatsoever."

If there be any union which is formed and is contrary to public peace, then that union, and that union alone, should be stopped by the Government of the day. But if the object of the union is simply to bring together socially or for some other purpose any class of persons, then there can be no disqualification in the recognition of the union. What right have you got to disqualify if I wish to form a union for persons of only six feet in height? Why then should the railways interfere? Or why should they interfere if I wish to form a union of people with special ways of thinking, because in such a case these people can mix together socially and work out the real object of their union. My friend cannot deny it, for it has been proved in questions and speeches in this Assembly that there does exist at present some difference of opinion among the Muslim employees who rightly or wrongly feel that their interests are not safeguarded. This feeling has been brought out from the questions, resolutions and representations made on the floor of the House. Then, will you deny them the right to express their grievances? Why should the Members of the Assembly interfere in these matters? I do not think it is the function of the Legislature to bring forward the case that 'X' was not properly treated in a small railway: that 'B' was passed over rather badly, and so on. These are the things that the union should look into. At the moment, we have to do it because there is no recognised union. Only matters of broad principles should come before the Legislature. So one of the defects which arises from the refusal to recognise unions is that those small cases which ought to have been settled by the union come before this House and we waste our time unnecessarily.

Now we want to have a union that works harmoniously, but to reach that stage we have to pass through the intermediary stages; and the more you stop them the more intense will become the position between the communities. The only thing is to permit the recognition of unions and ultimately you will find that the differences between the various communities will be minimized; they will become small, and this will lead to the harmonious relations between the various unions. You have a Christian Union with its headquarters at Bhusawal. I have had correspondence with its secretary. There also exists a Muslim union and an All-India Railwaymen's Union or Federation. There are thus three bodies. Their ideals are different. Suppose there is a question of a strike. Some of the unions will oppose it, but in the general body meeting they may be out-voted. It has been proved that one union will oppose a strike in the railways; another union will also oppose it; but the two unions taken together will be in a minority in a bigger union of the federation, and when it is taken by the vote of the house it will be accepted and it will be considered to be the voice of all railwaymen. The recognition of unions will give a platform to people with one way of thinking in various administrative

[Dr. Sir Zia Uddin Ahmad.]

matters. Let them ventilate their grievances, but if they do anything which may disturb the mutual relations between different communities, or the public peace, then it is the duty of the Government of India to intervene in this matter. But so long as they do not act against the economic interests and against the public peace, and they make representations in their own way and ventilate their particular grievances, I see no reason why these people should not be allowed to carry on in their own way. You are following the example of Government 20 years ago with regard to trade unions. But now the time has come when they should change their minds as regards the recognition of unions, and I can assure them that if they change their minds now, the people will themselves like to have a common union. They may have it on paper for a start, but they will have common objects.

Therefore, I do beseech the Government to study very carefully the history of unions in various countries and watch the stages through which they have gone. There is plenty of material in Delhi in the International Labour Office. Allow us to develop the unions in India and do not dictate that the union shall do this and shall do that. In that case there will be dissatisfaction among the employees and the work of the union will have to be handed over to the Legislature. Therefore, in the interests of our own time, I will appeal to you to permit these unions to be recognised, which will eventually relieve us much of our present work.

The Honourable Sir Edward Benthall: I appreciate the view point of my colleagues on the Muslim benches. Sir, it is, I think, the natural consequence of their present political policy, and I realize that they feel very strongly in this matter. But my Honourable friend, Sir Hugh Raper, has stated what is the policy of the Government. He has, however, I think, omitted to say that it has very recently been again under review. The question was considered only such a short time ago as 1941, when it was decided by Council that no change should be made in the present policy of non-recognition of communal unions.

Sir Syed Raza Ali: By what Council?

The Honourable Sir Edward Benthall: I beg your pardon. Decided by Government.

Sir, after listening carefully to today's debate, I think, there is substance in the view of Government that it is impossible to draw the line between communal and political unions, and Government does not allow its servants to take part in politics. Nor am I satisfied, even by Sir Muhammad Yamin Khan's conversion or his able speech, nor by any of the other speakers, that in fact the interests of Muslim employees have suffered.

As regards recruitment, one speaker mentioned the policy of Government and the rules that are laid down. I have before me here figures which show that the Muslim percentage in the subordinate services of the State and Company-managed railways is showing a very steady increase, nearing the proportion which is prescribed for the percentage of Muslims in the services. As regards the question of promotion, the House will recall better than I can myself, the occasion when serious accusations were made, as a result of which Mr. DeSouza was asked to carry out a special investigation. If I remember the circumstances aright, some of the Honourable Members said there were hundreds of cases in which Muslims had been wrongly passed over for promotion. Mr. DeSouza made an investigation of all the cases that were put to him, which, I think, turned out to be eleven in number: and he found—and I think you will agree that he was an officer with a judicial mind—that there was no such passing over at all.

Dr. Sir Zia Uddin Ahmad: But I had in my possession about 150 cases, which I put on the table here in connection with some motion; but the difficulty about Mr. DeSouza's investigation was that he wanted things to be done

in a certain manner and would not allow us to argue and would not see the other side of the question: he persisted in seeing only one side of the question.

The Honourable Sir Edward Benthall: I hesitate to contradict the Honourable Member; but as I was just saying, I think that Mr. DeSouza was essentially an officer possessing that sort of judicial mind to which the Honourable Member attached so much importance not so long ago, and I think. . .

Mr. Muhammad Nauman: May I inform the Honourable Member that as we did not approve of his appointment we never even tried to place the facts before him; we wanted a different sort of inquiry from the one the Railway Board instituted; we did not approve of it; in fact we non-co-operated from all he wanted to do.

The Honourable Sir Edward Benthall: Nevertheless I think that the majority of persons were satisfied with the impartiality of Mr. DeSouza's inquiry and report. On the question of appeals, we have had a long debate this morning, and I have given an undertaking to the Honourable Mover, that I would have that question thoroughly investigated; and so I feel that there is nothing for me to do but to reiterate the policy of Government and to say that we must oppose any unions on a communal basis, whether they be Hindu, Muslim, European or anything else. At the same time, while doing that I would like to assure my Honourable friends on the Muslim League Benches that so long, as I am in this seat, I will do my best to see that the settled policy of Government to secure a fair deal for Muslims is diligently and faithfully carried out.

I should perhaps just say something on the question of the representation of individual cases by unions to the railway authorities. The position is that all railways, I think, now allow individual cases to be represented to the General Manager, provided the normal channels of appeal have been used first. This does not apply to all cases, but it applies to important punishments, such as dismissals, removals from service and that class of cases. It is generally at the discretion of the General Manager whether he will enter into correspondence on the matter, but he will certainly receive representations; although I think there are some conditions laid down on some railways that representation shall be made by a responsible officer of the union, who shall have personally scrutinised the case. So far as one can see, therefore, there is adequate provision on the railways and recognised unions should be in a fair way to be able to present to the general managers individual cases on all important matters.

I was very glad to hear Honourable Members say that they will be glad to be relieved of the burden of putting individual cases to Government. I am also very glad to have that news. Honourable Members realise, I think, that when they do make representations to the Railway Department, they are all most carefully examined; but the representations which we receive are not entirely from the Muslim Benches; I think, in fact, that there are Honourable Hindu Members who perhaps hold a record in front of any Honourable Muslim Members. So, having made these remarks, I am afraid, that I must oppose the cut motion.

Mr. Chairman (Sir Henry Richardson): The question is:

"That the demand under the head 'Railway Board' be reduced by Rs 100."
The Assembly divided:

AYES—12.

Abdul Ghani, Maulvi Muhammad.

Azhar Ali, Mr. Muhammad.

Bhutto, Mr. Nabi Baksh Illahi Baksh.

Essak Sait, Mr. H. A. Sathar H.

Liaquat Ali Khan, Nawabzada Muhammad.

Nauman, Mr. Muhammad

Raza Ali, Sir Syed.

Shahban, Khan Bahadur Mian Ghulam

Kadir Muhammad.

Yamin Khan, Sir Muhammad.

Yusuf Abdoola Haroon, Seth.

Zafar Ali Khan, Maulana.

Zia Uddin Ahmad, Dr. Sir.

Abdul Hamid, Khan Bahadur Sir.
 Aiyar, Mr. T. S. Sankara.
 Ambedkar, The Honourable Dr. B. R.
 Ambegaonkar, Mr. K. G.
 Banerjee, Dr. P. N.
 Benthall, The Honourable Sir Edward.
 Bhansali, Mr. M. D.
 Caroe, Mr. O. K.
 Chapman-Mortimer, Mr. T.
 Chattopadhyaya, Mr. Amarendra Nath.
 Daga, Seth Sunder Lall.
 Dalal, Dr. Sir Ratanji Dinshaw.
 Dalpat Singh, Sardar Bahadur Captain.
 Dam, Mr. Ananga Mohan.
 Deshmukh, Mr. Govind.
 Gray, Mr. B. L.
 Griffiths, Mr. P. J.
 Gwilt, Mr. E. L. C.
 Haidar, Khan Bahadur Shamsuddin.
 Imam, Mr. Saiyid Haider.
 Jawahar Singh, Sardar Bahadur Sardar Sir.

Ahmad Nawaz Khan, Major Nawab Sir.
 Joshi, Mr. N. M.
 Lalchand Navalrai, Mr.
 Lawson, Mr. C. P.
 Mackeown, Mr. J. A.
 Maitra, Pandit Lakshmi Kanta.
 Neogy, Mr. K. C.
 Noon, The Honourable Malik Sir Feroz Khan.
 Pai, Mr. A. V.
 Parma Nand, Bhai.
 Pillay, Mr. T. S.
 Raisman, The Honourable Sir Jeremy.
 Raper, Sir Hugh.
 Sahay, Mr. V.
 Spear, Dr. T. G. P.
 Spence, Sir George.
 Stokes, Mr. H. G.
 Sultan Ahmed, The Honourable Sir.
 Thakur Singh, Major.
 Trivedi, Mr. C. M.
 Tyson, Mr. J. D.

The motion was negatived.

Extensions given to Employees in Railway Services.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sir, the House has expressed its dissatisfaction at the extensions which are being given in the railway services, and given in a very generous manner. The replies which have been given by the Honourable the War Transport Member have not satisfied any section of this House. Therefore, I want to move this cut motion in order to discuss one particular aspect of the question which affects the Muslims in particular.

In 1939-40 when the Supply Department was created as also many other new departments, services were lent from the Railway Department to these new departments. The Muslims apprehended from the very beginning that these transfers are going to affect them. They felt that it was a planned crusade against the Muslims.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): You are talking about the extensions given to the Muslim employees?

Seth Yusuf Abdoola Haroon: I am referring to the railwaymen's services lent to the Supply and other departments. When those services were lent, the Muslims felt that it was going to hit them and affect them. It did happen. What happened was that when the time came for some of the senior grade staff to retire extensions were given to them, on the plea that there was scarcity of well trained staff. It is not a fact. Trained staff are available and will be available. The Railway Department might have promoted people from the junior grade to the senior grade. They are competent staff, but this was not done because they said there was scarcity of trained staff, and because these extensions were given, the chief persons who were affected were Muslims. I will inform the Honourable Member that on the North Western Railway which runs through my constituency there were four senior non-Muslim members of the staff who are given extensions. Otherwise two of the junior staff who are at present working as A. T. Os. would have joined the senior scale. In all-India, I believe 72 extensions have been given. If these extensions were not given and people were allowed to retire, at least 18 Mussalmans would have joined the junior scale. The number of Muslim officers who would have been promoted from junior to senior scale can not be precisely assessed but to keep the figures of N. W. Railway for the purpose of ascertaining, it can positively be said that 80 of them at least would have gone on the senior scale but this was not done. Only a plea was made that there is scarcity of staff, although staff is being transferred from the Railway Department to other departments which have no direct or

indirect connection with this Branch. (*An Honourable Member*: "Was it technical staff?") No. It was executive and administrative staff. Mr. Joshi said that the Trade Union Congress looked to the betterment of all the classes. Why did not they raise a hue and cry about the extensions? They did not, because it was a question of Mussalmans.

Mr. N. M. Joshi: I shall support you in the matter of these extensions.

Seth Yusuf Abdoola Haroon: When the question of Mussalmans comes up, they do not want to have new unions because it is a political body but I wish to say that it is not so. We are economically hit and that is why we have to organise another Muslim union. I would ask why should not the War Transport Member cry a halt to these transfers. He should not allow any more transfer to be made. Otherwise what would happen. There will be no retirement. The only retirement will be when a person will be paralysed or when he will die, then only his place will be filled up. Otherwise there is no chance for the junior staff to come up. I would like to mention an example to the Railway Member. It is under the very nose of the Railway Board in Delhi Division. In the Delhi Division there are 22 senior officers in the senior grade and there is only one Muslim. There are 15 Head Clerks in the Delhi Division in which only one is a Muslim. In the Headquarter N. W. Railway office, there is the Deputy General Manager, Deputy Chief Engineer, the Deputy Chief Accountant, Deputy Rates officer, Senior Commercial officer and Senior Goods officer. They are all Hindus and there are two Muslims.

Where will be the chance for the Muslims? They will never come up to the higher grades. When the war will be over, there will be staff coming back from the other departments and the Muslims will have to stay in their jobs for years together. There will be depression and no other recruitment. Why should not this system be abolished now. The Transport Member should at once see that no more extensions are given and people in the junior scales should be given a chance. Therefore, I protest against the policy of giving extensions which indirectly hits my community. It is time for the Railway Board to see that the Muslims come up to the ratio of 25 per cent. With these words I move my motion.

Mr. Chairman (Sir Henry Richardson): Cut Motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. N. M. Joshi: I rise to support this motion. Some days ago, I had asked questions on this point, complaining that the Government of India is giving extensions to their superannuated employees, with the result, that the interests of the younger employees are suffering. The reason given by the Government of India is, that a large number of their present employees have gone on war work and, therefore, they must have sufficient number of experienced men and for that reason they are giving extensions to people who are on the verge of retirement. I feel that this argument is not a sound one. When a man comes to the stage of retirement, the next man who is likely to take his place is not a novice. When a man retires at the age of 55 or has put in 30 years service or at least 25 years service, his place will be taken up by a man who has reached the age of 53 or 54. His place is not likely to be filled by an inexperienced man. I, therefore, feel that this argument does not really hold water. What may be happening is that a large number of officers who have gone to war may be Europeans and Government fears that their places may be taken by Indians and that if the retiring officers are Europeans the number of Europeans may be reduced. I have not examined the figures and I would like the Government of India to give figures. So far as I am concerned, I should like to see that no extensions are given and people who are juniors should be protected and should have a chance. This practice of extensions results in new entrants not getting a job at all. A number of people have been trained by Government as railway apprentices and they do not get a chance at all. If they want the help of these experienced men they may send them to other branches of temporary work, such as war work and not keep them in the department and reduce the chances

of the younger people. I support this motion.

Mr. Muhammad Nauman: Sir, I rise to support the motion before the House. This question has been discussed a number of times since I have been a Member of this House and on all occasions we have expressed our indignation at the policy of extensions being given to officers and employees of the Railways. In reply to questions which were put to the Honourable the Railway Member, the Honourable Member said that they could not afford to lose the services of those people who had been granted extensions. It appears to me that just as the Railways are feeling the dearth of rolling stock and wagons, they are also feeling the dearth of efficient officers and they want to conserve their energies by giving them extensions. I suppose this question of extensions is not the question which should be looked at from any communal point of view. This policy of extensions has affected the Hindu officers, it has touched the European officers and it has certainly affected the Muslim officers and Muslim employees. I do not know what was the basis on which the Railway Board decided to take this decision.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

If I remember aright, the Honourable Member said that individually every particular case was examined on merit and they thought they could not afford to permit a particular officer to leave his office and retire. If that is a real fact, then, as I said, it reveals the failure of the Railway Board in having an adequate number of efficient officials and it indirectly means that those who would succeed them were inefficient. Just as they have got an inadequate number of rolling stock and wagons, so it appears they have also got an inadequate number of efficient officials and they are only trying to give them extensions and keep them in this way. How long this state of things can go on? If these so called officials cannot survive for a longer period, then are we to understand that the railways will come to a stop because they will not have efficient persons to take their places? So, we on this side of the House want to impress the Government that this policy of giving extensions is creating a feeling of discontent among their own officers and employees, who consider themselves efficient—and I believe they are efficient—and who have been suppressed because certain extensions have been given to certain individuals mostly on favouritism. I know many individuals who have been granted extensions but I do not want to point out a particular individual and say why A or B or C was given an extension. I will content myself by saying that the policy of giving extensions is bad in itself and the Railway Board should not continue it any longer. With these few remarks, I support the motion.

Sardar Sant Singh: Sir, I support this motion not on the ground that the Mover has mentioned that it hits one community but on general grounds of principle.

Nawabzada Liaquat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): That is only one of the effects of it.

Sardar Sant Singh: But he proceeded with his case by referring to that aspect of the matter. Mr. Nauman has now cleared up the position and given it more strength. May I ask the Honourable Member in charge whether he has analysed the reasons as to why the Government has fixed a certain limit beyond which a public servant was to be retired on pension? If there were certain sound reasons for that rule, have those reasons disappeared now because of the war? That is a question to be considered. At the same time, we cannot ignore the fact that an extension granted to some officers means the taking away of the rights of those who are coming up. What right have you, I ask a plain question, to take away the rights which the rules of service give to the subordinates to go up to the highest post if they fulfil all other conditions, by granting extensions to the present incumbents of posts? Then, again, I am entitled to know and the House is entitled to know, why these extensions have been granted during

the last two or three years in numbers that was not to be imagined in previous years. There must be some particular reasons for it and the Department, I hope, will make that clear to the House in its reply.

The Mover of the motion referred to certain instances and said that under the very eyes of the Railway Board extensions have been granted in the Delhi province. I will go further and ask the Honourable Member how many Members of the Railway Board have been granted extensions? My information is that four Members of the Railway Board have been granted extensions but let us wait for an answer. If I am right that four Members of the Railway Board have been granted extensions, what about those next incumbents who are coming up? Have you compensated them in any way for the loss of their right which they had under the rules of service? Again, I will call the attention of the Honourable Member because he is a non-official and not a hardened bureaucrat as we used to call the members of the I. C. S. or of other services, that he should have more sympathy with those who are coming up than with those who are enjoying that position today. I will, therefore, bring it to the notice of the Government that this policy of granting extensions is a policy of showing favours to one at the expense of another. The others should not be made to suffer. No justice and no equity will sanction such a course. Therefore, I support this motion.

Sir Hugh Raper: Sir, the House, is, I submit, under somewhat of a misapprehension. Sardar Sant Singh referred to an unconscionable number of officers who have been given extensions of service. The war is now in its fourth year, and, since the war started, an extension of service has been given to 72 officers. Now, against them, 140 officers have been allowed either to join up with the fighting forces or to take up other war work in, for example, the Supply Department. In addition, owing to the very heavy work which the Railways are now having to perform and the new jobs of work that have come into being such as that in connection with Air Raid Precautions, war planning and so on, 130 temporary war posts have been created. The position, therefore, may be summarised thus: 140 officers have left, 130 posts have been created, which gives a total of 270. Against that number of 270, 72 officers have been given an extension of service. It seems to be the general impression that only those officers who are high up in position have been given extensions and it seems to me that speakers have assumed that only those officers who are low down in the cadres have been allowed to go. That is not correct. I would remind the

4 P.M.

House that the highest Railway Officer, Sir Guthrie Russell, who was Chief Commissioner of Railways, was allowed to go before he attained the age of 55 to take up an appointment in the Supply Department. There is a considerable number of other officers of high rank who have been allowed to leave for war purposes, one for example was the head of a Department on the Eastern Bengal Railway, another was Chief Engineer of North Western Railway and another Chief Mechanical Engineer of the East Indian Railway. I am just mentioning a few that come to my mind, I have not exhausted the list.

Sardar Sant Singh: Will the Honourable Member please state whether all the Managers of all the State-owned Railways have been granted extension or not?

Sir Hugh Raper: No.

Mr. Muhammad Nauman: Then how many are due to retire?

Sir Hugh Raper: Those who have been given extensions are Mr. Misra of the Bengal and Assam Railway, Sir Robert Marriot of the East Indian Railway and Mr. Laughton of the Bombay, Baroda and Central India Railway. (*An Honourable Member:* "What about Mr. Griffin?") I believe that Sir Arthur Griffin has not yet reached the age of 55. Well, I have just given figures and would draw your attention to the fact that those who have left the Railway Department have taken up war work, many of them in the army itself. Now, we have had to make good the difference between 270 and 72 nearly 200 officers. That

[Sir Hugh Raper.]

has been an extremely difficult matter. It has, of course, sometimes afforded accelerated promotions. Whilst it must be recognised and admitted that where a senior officer has been retained, someone has been disappointed. On the other hand many others who never expected early promotion have got it. I would urge the House to believe that in considering whether an officer should be given extension or not there have been no communal considerations whatsoever. It is news to us, when the Mover himself said that the extensions given have affected Mussalmans particularly.

Seth Yusuf Abdoola Haroon: I referred to the North Western Railway and that also to two A. T. Os. in that Railway.

Sir Hugh Raper: Thank you for correcting me. I have evidently gained the wrong impression.

My Honourable friend, Mr. Joshi, said that the interest of young employees was suffering. I have shown by certain examples that he is not altogether correct. My Honourable friend, Mr. Nauman, objected very definitely to the policy of extension of service and apparently saw no good in it whatsoever. I think he felt that we should not have allowed young men to go and he may have felt that we did so only in order to keep older ones. There is, as the House is aware, a very considerable change in the circumstances since the beginning of the war. When a war starts many officers, enthusiastic young officers, put in their applications to be allowed to join up. Railway Administrations allow as many to go as circumstances appear to justify. In this war, as in the last war a large number of officers applied and some were allowed to go. But the brake has had to be put on and, in fact, some of those who have gone, may have to come back to us. It is not always possible to get them back, however. Mr. Nauman also said that the Mussalmans were particularly affected. I do not think he qualified his remark.

Mr. Muhammad Nauman: I said that all the Indians were affected including Europeans, Anglo-Indians, Hindus, Muslims and others.

Sir Hugh Raper: I have recorded that you have said that Muslims were particularly affected. If I am wrong I apologize. He also asked for how long would extensions of service be given. That raises the question, how long is the war going to last. It is obviously impossible for us to say. It would be of some interest to the House

Mr. Muhammad Nauman: Probably you may run short of men as you are getting short of wagons.

Sir Hugh Raper: It may interest the House to know that within the last month four fairly senior officers have definitely refused extension. It is not every one that wants it. When we feel that it is in the interest of an administration to keep a particular officer and that particular officer, if he is fit enough, agrees to stay to do the work, which he knows, we would grant an extension. But as I have said, every officer is not prepared to stay. We have also an instance of an officer, who had been in an administrative post asking, on being offered an extension, that he be given work carrying less responsibility and he was given a more junior position than he had had before. The question of an extension of service only arises if an officer is offered an extension. We do not admit application for an extension. It is a matter of careful selection.

Mr. Muhammad Nauman: It may not be an application on paper, it may be a canvassing.

Sir Hugh Raper: What I have said, I stand by.

My Honourable friend, Sardar Sant Singh, asked if the reasons that influenced the Railway Board to fix an age limit for retirement still hold good. I may suggest that the war has changed conditions very considerably and we are justified in saying that although those reasons still exist, present conditions make it impossible to accept them in every case. Sardar Sant Singh likewise said that promotions of the subordinate to the officers' rank have been very badly affected.

The number of officers' posts that have been rendered vacant and created, is 200 more than the number of officers to whom extensions have been given.

Sardar Sant Singh: May I know if the figures supplied by you are included this increase of two hundred.

Sir Hugh Raper: The number of additional officers required was far greater than the number of officers to whom extensions have been given. There must, therefore, be many subordinates who have gained promotion to the superior grade. They would not have got it so soon but for war. Sardar Sant Singh made a statement that an officer who is expecting promotion has not been given a post which has been created because another officer received an extension. It is for him to prove this.

I regret I cannot tell you if there is any such case. If the Sardar has one in mind, perhaps he will let us know. I think the House will readily appreciate that giving extension of service to these relatively small number of officers is by no means filling our requirements in the officers' grade. We are still greatly short. Great care has been exercised in selecting those to whom extensions would be given. One of the conditions is that they are physically fit. Extension is given first for one year or for the duration of war, whichever is less. But there is nothing to prevent a second extension being given, if that is found to be justified and the officer concerned continues to be fit for the work.

Sardar Sant Singh: Meanwhile his subordinate who expects to go up may have to retire.

Sir Hugh Raper: That is one of the misfortunes that that particular officer would have to suffer as a result of the war.

Sardar Sant Singh: I was referring to such suffering.

Sir Hugh Raper: I admit the giving of extension to anybody is liable to lead to this result but I think you should keep in mind the fact that a large number of senior officers have gone to the war or gone to other services and to that extent the position of every one has improved; some additional posts, temporary posts have been created in the administrative grade, deputies and so on. That, therefore, has given to every one the opportunity of promotion that they would not otherwise have got. As I see the position personally, it appears as if the officers generally are likely to have benefited rather than to have been hurt by this process.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Has any calculation been made regarding officials who have been benefited by higher officers going to war? Are they more in number or those who have suffered on account of extension more in number?

Sir Hugh Raper: I do not think that such a calculation has been made. Some reference was made to non-gazetted staff, and in regard to that, we do not know the actual position. The Honourable Member for War Transport has already referred to this and he has called for information.

Mr. Frank R. Anthony: Why should the Railway Administration insist on keeping these men by giving them extensions? Why should you not retire them first and re-employ them as additional staff on a temporary basis? Is it because they want more lucrative advantages that they get extension of service?

Sir Hugh Raper: The answer to that is very definitely, no. When an officer is retained in service, he must be fit enough for it and it is more proper that he should continue to be occupied in the work he has been doing. The creation of a temporary post for him would mean that he would have to take up some kind of work to which he has not been accustomed. I have already stated that there are instances of officers who have been given an extension and put to work carrying less responsibility at their own request. There are not many cases of that sort, but they exist. It does seem, as I have just said, the best course is to keep the officer who has experience, ability and knowledge at the work he has been doing. Thus you maintain continuity and on general grounds, and almost on every ground, that is the best procedure.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the demand under the head 'Railway Board' be reduced by Rs. 100." The motion was negatived.

Need for fixing quota for Muslims and other Minorities in the Selection grades in Railway Services.

Dr. Sir Zia Uddin Ahmad: Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sir, I would like to remind the House about the Resolution of 1934 in which the quota for minorities was fixed. The weakness of that Resolution was that it fixed a quota only for fresh entrants and it left out altogether the case of promotion. As soon as this Resolution was adopted, the Railway Board tried to defeat the object of this Resolution by passing an internal Resolution, that is, that recruitment should be at the lowest grade. Before this Resolution came into existence, there used to be regular recruitment not only at the subordinate stage, but also in the intermediate or what they call upper subordinate stage. But after this Resolution was passed, in most of the Railways recruitment in the upper subordinate grade was stopped altogether and everybody was employed on the salary varying from Rs. 20 to Rs. 30 a month. The result of this was that the standard of admission was lowered. When we had recruitment at the intermediary stage, then good men, graduates and men with good technical qualifications entered the service and they filled the upper subordinate grade, which is really the backbone of the administration in the railways. This thing was continued in order to defeat the purpose of the Resolution of 1934. As soon as everybody was allowed only to enter at the lowest stage, Rs. 25 to Rs. 30, then our friends, the Anglo-Indians got out of it. My friend, the late Col. Gidney, moved the Secretary of State and said that in the case of Anglo-Indians the lowest grade should be Rs. 55. On this scale, they could get some men all right, but in the case of Indians, the lowest pay was from Rs. 25 to Rs. 30. The standard of recruitment was thus definitely lowered. Now, with this class of people who man the railways, who are recruited in the lowest stage, most of them have been failures in other Departments who could not get service anywhere else; when such men get into the Railways, I do not know what would happen to the railways after 15 years when these persons come to occupy important key posts now included in the upper subordinate grade. The future of railways appears to me to be very dark; efficiency is bound to suffer when you recruit everybody on a salary of Rs. 20 to Rs. 30. You recruit matriculates and a majority of them are not good enough to reach the highest stage to carry on railway administration with efficiency later on. Therefore, I submit this device was adopted in order to defeat the object for which the Resolution was framed by the Government of India. In case the Government of India agree to have some communal consideration at the intermediary stage also, then I am sure that this Resolution which they had passed in the Railways will have to be dropped. The railway administrations themselves are feeling the necessity. And they are making experiments in certain ways: On the East Indian Railway they have appointed some persons in the intermediary stage during the last two years. Therefore, I say that this is absolutely wrong and ought to be dispensed with.

The other point to which I refer is the De Souza report which is the gospel of my friends, Members of the Railway Board. Of course, to them it is a gospel, but to me it is waste paper. But referring to the gospel of the Railway Board, I just remind them that this is one of the recommendations of the De Souza Committee also. They have recommended at one place that there should be some kind of reservation of seats for the minorities in a particular grade which is to be recruited by promotion and that is the only recommendation which they entirely overlooked—everything else they quoted. We have never pressed on this side that a person who is not competent should be promoted. After all,

efficiency first; all other considerations afterwards. But, at the same time, we should like to point out as well that the way in which this question of efficiency is pressed in practice is not very satisfactory. We discussed on the floor of the House—I think in the time of your predecessors: Sir Andrew Clow and Sir Thomas Stewart—the principles. They said “promotion is considered on the principle of seniority”. But sometimes they would say “it is considered on the principle of efficiency”. And I said once, “Call spade a spade, and say it this way: we will adopt the principle of efficiency or the principle of seniority whichever happens to exclude the Muslim candidate altogether”. If a Muslim candidate can come in by seniority, then we put him down under the principle of efficiency and if he is efficient then we will put him down under the principle of seniority. So, this principle does not act very well, and, therefore, in order to avoid all this trouble, I do beseech you to fix ratio and say “provided they attain a certain standard, provided that their qualifications are good, provided that their service records are excellent”. If they satisfy these conditions, I think there is no reason why you should not promote them simply because they are Muslims.

Sardar Sant Singh: Does this cut motion relate only to Muslims?

Dr. Sir Zia Uddin Ahmad: It is for all minorities.

Sardar Sant Singh: Then you must say so and name other minorities also. You are ignoring them.

Dr. Sir Zia Uddin Ahmad: My Honourable friend, Sardar Sant Singh, who has been elected by my votes in this House must know that when I am talking of minorities, I include Sikhs as well.

Unless we fix a quota for these minorities—and in minorities I include depressed classes, Christians, and other minorities—this will not work satisfactorily.

Mr. N. M. Joshi: Where is the quota given to the depressed classes?

Dr. Sir Zia Uddin Ahmad: They come under “other minorities”, which includes depressed classes.

Mr. Muhammad Nauman: They will divide among the Hindus.

Dr. Sir Zia Uddin Ahmad: Unless this is done, I am afraid this will always be a burning question and will be very difficult to decide.

The other difficulty will be about the lower gazetted service. This is also a very difficult question which acts against the interests of the minorities. In this particular case it is against the interest of the majority also—the Hindus. It is only in the interest of one particular class of people in the country. It is very desirable that if we fix the quota, we should do it not at every stage but at one particular stage when the promotion is from the lower grade to upper subordinate grade. At this stage we should have a quota fixed. It is not possible to have a quota fixed from first division to second division, from second division to third division and so on—that is not possible—but when you come from lower subordinate to upper subordinate grade, at that stage it is desirable to have a quota fixed. When promotion is made from the upper subordinate to the officer grade, there also we should have a quota fixed. I pressed this point always before Sir Harry Haig when he was Home Member and I made it out very clearly that this is the gap which ought to be filled up. In that case suppose we fixed 33 per cent. for the minorities, and if 33 per cent. are not available then the balance should be made up by direct recruitment provided they satisfy certain conditions, and if these posts belong to a particular minority and they do not satisfy these conditions then this quota should be made up by direct recruitment again provided they satisfy certain conditions. I think if these two principles are accepted, the working of railways will be easier and the future running of the railways will be more efficient. Sir, I beg to move the motion.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

“That the demand under the head ‘Railway Board’ be reduced by Rs. 100.”

Mr. Muhammad Azhar Ali: Sir, I have heard from the Treasury Benches that we should quote instances where justice has not been done to any individual. If the question of appeals comes before the Railway Board or the Treasury Benches, especially the Railway Board, they say that we will apply the principle of justice, but so far as the Railway Board is concerned, they will not stick to this principle of justice, but they have got their own rules, they have got their own regulations and so forth. Sir, in the same manner I find that in the circulars which are issued by the Railway Board concerning minorities, especially the Muslim minority, there are such words as "As far as possible", "As far as practicable", "If they can be spared", and so on. Sir, I would refer to two of these today. In paras. 182 (II), and (VI) Constitution and Function of Selection Boards (paras. 50 and 115) it is stated:

"Every effort should be made to ensure that at least one member of a minority community is on each Board and a Muslim Officer should be included *whenever possible*."

In paragraph 182 (V), it is said:

"The Government of India. . . . but desires that Railways should continue to employ Muslim officers in establishment branches *as far as possible*. . . . They have further no objection to the posting of Muslim officers of the Accounts Department to the Establishment Branches in the Headquarters office of Railways *if they can be spared*."

Sir, I find that whenever there is a case of minority, or even when there is a special case of Muslims, there are these conditional words attached: "If possible; whenever practicable; if they can be spared." I refer these circulars to the Honourable Member who has said that we must have instances. I will mention two more cases about the Selection Board in my own place of Lucknow. It was a Selection Board in connection with Guards, Grade I, in the Divisional Superintendent's office, Lucknow. Fifty candidates were called for an interview, but out of these fifty only two or three were selected. And what happened? There were fifty candidates and the interview lasted only for thirty minutes. I put it to my Honourable friend, if thirty minutes is sufficient to interview fifty candidates! Does it stand to reason? Of course, you are masters of the situation and you can do what you like. But is it honest? Is it possible? I submit it is not. Now, Sir, the speed with which the interviews were conducted shows that it must have been a pre-arranged affair. Otherwise it was impossible to finish the fifty candidates in thirty minutes.

Now, Sir, I will refer to another case in Lucknow. The circular of the Railway Board is that every Selection Board should consist of at least three officers, and at least one of them must belong to a minority community. Now, Sir, in spite of this circular, what happened. Only two officers were sitting on the Selection Board. When I quote these cases before the Railway officials today, I submit that these cases ought to be inquired into. I submit that every circular, every order from the Railway Board is not adhered to, and the Selection Board do as they like. So I submit that it is the minority community, whether it be the Muslim or Sikh or the Depressed Classes, who suffer always owing to non-compliance of orders contained in circulars issued by the Railway Board. I have quoted facts and figures and I hope that these Selection Boards are directed to act at least according to the circulars and orders issued by the Railway Board. With these remarks, I support the motion.

Mr. N. M. Joshi: I do not think, Sir, that the proposal made by the Muslim League Party is a reasonable one, and it is not also in the interests of the efficiency of the railway service. Already there is direct recruitment in the railway service to the officers grade, and on account of that practice a large number of subordinates, who are very capable, do not get an opportunity of going to the upper grade or the officers grade. Now, Sir, the Muslim League Party wants, in order to get their quota, some direct recruitment in the subordinate service also. I would like my friends of the Muslim League Party to consider whether this proposal is not on behalf of the upper middle classes as against the poor classes. (Several voices: "No, no.") It may not be your intention but that is going to be the effect. But my Honourable friend, Dr. Zia Uddin, said: "Well, the present employees are matriculates

and not well educated. It is not in the interests of efficiency to promote them to higher grades". Dr. Zia Uddin Ahmad was not really thinking of the present generation. He may have been thinking of the past generation. At present the railway service consists of very intelligent young men. They may be matriculates or they may be graduates.

Dr. Sir Zia Uddin Ahmad: I was speaking of the future generation.

Mr. N. M. Joshi: I do not want these intelligent young men to be superseded by more educated people. Therefore, direct recruitment in the subordinate service is wrong. It is in the interests of the upper middle classes as against the interests of the lower middle classes.

Then there is another proposal, viz., that there should be a quota in the upper subordinate grade, and this is to be effected either by direct recruitment—which I have said is in the interests of the upper classes as against the lower middle classes—or by a supersession of the majority community by the minority community. (Interruption by *Dr. Sir Zia Uddin Ahmad*.) I know you are interested in the Universities and not the lower middle classes. This proposal will involve a supersession of very competent men. They may belong to the Hindu community, but that they will be overridden by men who may not be as good as themselves and this step is bound to create very great discontent in the service. A man may belong to the majority community. It is not his fault that he belongs to that community. If he has a chance of going to the upper grade, and if he is the fittest person, then he must be promoted. If you don't, then there is certainly going to be great discontent. We have no objection to the fixing of proportions to safeguard the interests of the minorities at recruitment. Let them even be given more. I would like the majority community to have less people in the railway service and more people in the public work. Our public work requires a very large number of people. I would like the young men from the majority to avoid Government service and take up public work. There is much to be done in this country, and, therefore, we do not object to any proportion being fixed at the time of recruitment. But to make your promotion on the ground of community and not on the ground of merit, and not to give promotion to a very competent man when it is due to him and give it to another person who is not as competent as he is, is a wrong thing and will create great discontent in the service, and I would, therefore, like the Government not to accept this proposal.

The Honourable Sir Edward Benthall: Sir, this cut motion raises a major question of policy. It has always been the policy of Government that it is most undesirable to introduce communal considerations into promotions from grade to grade. For direct recruitment the usual communal proportion is observed. The position as regards selection grades is that lists of these posts have been drawn up and they are, I understand, in the Library of the House. As regards the principle of selection for selection posts, it is a case of merit combined with seniority. Honourable Members, I think, are inclined to feel that in considering these selection posts insufficient attention is paid to seniority. From what I have seen of the manner in which the selection is made, that is not the case. All the senior men who could possibly qualify for the post are considered and if two candidates are of equal merit, then the deciding factor is seniority. The selections to these posts are made by selection boards. The present provisions regarding them are laid down in Appendix 2 to the State Railway Establishment Code, and the question of the revision of those instructions is still under consideration. But in the meantime orders have been issued that selection boards, both for promotion and recruitment, shall consist of not less than three officers and every effort is to be made to ensure that at least one of these officers should come from a minority community, and that a Muslim officer should be among them, wherever this is possible. When a selection board consists of three officers, they should preferably be of the same rank so as to ensure that one senior man does not dominate the board, and if it is possible, no officer on

[Sir Edward Benthall.]

that board should be subordinate to another officer on the board for the same reason. Conditions on certain railways may not ensure that in every case these instructions are at present carried out entirely to the full; but instructions have been passed to ensure that where these rules are not being kept to, a record should be kept of the circumstances, and the reasons for superseding any senior employee should invariably be recorded by the selection boards in all cases of promotion to selection posts. I think Honourable Members will agree, therefore, that the procedure which has been laid down does, in fact, provide ample safeguards for the minority communities. The demand of the Honourable the Mover is for reservation in the case of promotions. Leaving aside all questions as to which class or community is going to benefit from such a course, I think, we must attempt to continue to run the railways as we have done in the past, as a commercial concern, and must make quite certain that the best men come to the top. The probability is that there ought to be not less selection but more selection if efficiency, to which Mr. Joshi paid homage, is to be maintained. I hope Mr. Joshi will apply the same tests to some of the other motions which come before the House.

I think that in the general interests of the railways it is desirable that promotion should continue to be made in the way that it has been done in the past, and that the best interests of the Muslims will be secured by ensuring that their promising young men are qualified for that selection. For these reasons, I must oppose the amendment.

Sir Muhammad Yamin Khan: May I ask whether the Honourable Member will take this step, that if his instructions are not carried out by any officer, then that officer should be taken to proper task, to use a mild word?

The Honourable Sir Edward Benthall: We always endeavour to see that our instructions are carried out.

Sir Muhammad Yamin Khan: If it is not carried out, will you give him punishment?

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was negatived.

Imperative Need of Allotment of Wagons for Transport of Rice to Deficit Areas of the Madras Presidency.

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris; Muhammadan): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The question that I want to bring to the notice of the Government and the House is rather one limited by territorial considerations. Only Members from the Madras Presidency will have some interest in this—particularly persons from the west coast. I have, I am sorry, very little time and I just wish to bring to the notice of the Government the plight in which we on the west coast of India are placed due to the exigencies of war, and due also to the prior consideration that is always received by demands from any other part of the country except the west coast. Somehow it is unfortunate that we should be placed at the extreme south and west of India and, therefore, our needs receive very little attention. This is one example of that. The position on the west coast is as may be shown by the short notice questions that I asked in the last Session, that we depend wholly and completely on the import of rice from the eastern districts. Before losing Burma we were dependent on Burma. At present, because of want of wagons, I do not know, due to some restrictions or instructions from the Government of India or the Provincial Government, we get very little rice in our parts. The demand on the rice produced in the eastern districts comes from many many sides. The greatest priority is given to the demand from Ceylon, and, therefore, all the wagons that are available are transferred for carrying rice to Ceylon. Next in importance—because either of the Government of India or

the Provincial Government—come the Indian States of Travancore and Cochin. Then next in importance come the eastern districts. Last of all do we get our chance; and, therefore, this question has become very acute in our part of the country. I want the Honourable Member to be impressed with the great importance of seeing that in this arrangement we are not completely left out. My Honourable friend was kind enough to respond to my appeal some three or four months ago and he was able to do something to relieve a difficult situation in my part of the country; but that was a very temporary relief that he afforded to us; and what I request him, in my motion, and what I demand of the Government is that he should see that a sufficient number of wagons are detailed for the constant and continual transport of rice from the eastern districts to the deficit areas of the Madras Presidency such as the west coast. This in short is our demand and I hope my Honourable friend will see to it that a number of wagons are kept there for the constant supply of rice to the western districts and that those wagons are not transferred for any other purpose. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

“That the demand under the head ‘Railway Board’ be reduced by Rs. 100”

The Honourable Sir Edward Benthall: I am very conscious indeed of the difficulties which my Honourable friend is experiencing in his part of the country. As my Honourable friend knows, I paid a visit to that part of the world in December and had visible evidence of the conditions which were prevailing there at that time. But I am not sure that my Honourable friend is not mixing up the question of the supply of foodstuffs and the transport of them. Sometimes, transport is blamed when it is not at all at fault, and I rather fancy that that is in fact the case in the west coast of Southern India. As regards internal movements in the Madras Presidency, rice moves under permit and that permit has to come from the Grain Purchasing Officer. Unless there are permits to move that rice, railways, of course, cannot move it. My Honourable friend, I think, asked that the railways should stable wagons down there, in other words, they should keep wagons idle in case food were offered.

Mr. H. A. Sathar H. Essak Sait: They will never be kept idle.

The Honourable Sir Edward Benthall: So long as they are not kept idle I have no objection. I think the Honourable Member can rest assured not only that we will make available all the necessary wagons to move foodstuffs to the west coast but that, in fact, we have provided wagons for all the foodstuffs that have been offered. At the end of last month there was a report from the Regional Controller of Priorities not only that despatches were meeting the traffic offering but also that there had been instances in which wagons had been provided against registered permits for movement to that part of the world but the wagons had not been loaded. Rice comes not only from Madras but from as far afield as the Central Provinces and Orissa, involving a very long haul.

Mr. H. A. Sathar H. Essak Sait: For Malabar?

The Honourable Sir Edward Benthall: I believe so; if not for Malabar, for Cochin and Travancore. On occasion we have arranged block trains to carry rice to that part of the world. Quite recently too we have had the Chairman of the Madras Transport Board expressing his appreciation of the efforts which the M. & S. M. Railway have made to move rice to the west coast. Sir, I think I can safely assure my Honourable friend that this question which he wishes to ventilate by a cut motion is having the serious attention of the War Transport and Railway Departments and the priority authorities locally and I do not think that if foodstuffs are provided he need have any anxiety that they will not be moved. Sir, I oppose.

Mr. H. A. Sathar H. Essak Sait: In view of the statement made by the Honourable Member, I beg leave of the House to withdraw the motion.

The motion was, by leave of the Assembly, withdrawn.

Mr. President (The Honourable Sir Abdur Rahim): The Muslim League Party have still five minutes more. Do they wish to move any other motion?

Sir Muhammad Yamin Khan: No, Sir. You may put the Demands.

Mr. President (The Honourable Sir Abdur Rahim): Very well.

DEMAND No. 1.—RAILWAY BOARD.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 13,26,900, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Railway Board'."

The motion was adopted.

DEMAND No. 2.—AUDIT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 14,16,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Audit'."

The motion was adopted.

DEMAND No. 3.—MISCELLANEOUS EXPENDITURE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 11,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Miscellaneous Expenditure'."

The motion was adopted.

DEMAND No. 5.—PAYMENTS TO INDIAN STATES AND COMPANIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,34,55,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Payments to Indian States and Companies'."

The motion was adopted.

DEMAND No. 6-A.—WORKING EXPENSES—MAINTENANCE OF STRUCTURAL WORKS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 10,38,27,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Working Expenses—Maintenance of Structural Works'."

The motion was adopted.

DEMAND No. 6-B.—WORKING EXPENSES—MAINTENANCE AND SUPPLY OF LOCOMOTIVE POWER.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 24,47,68,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Working Expenses—Maintenance and Supply of Locomotive Power'."

The motion was adopted.

DEMAND No. 6-C.—WORKING EXPENSES—MAINTENANCE OF CARRIAGE AND WAGON STOCK.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 7,10,84,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Working Expenses—Maintenance of Carriage and Wagon Stock'."

The motion was adopted.

DEMAND No. 6-D.—WORKING EXPENSES—MAINTENANCE AND WORKING OF FERRY STEAMERS AND HARBOURS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 36,92,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Working Expenses—Maintenance and Working of Ferry Steamers and Harbours'."

The motion was adopted.

DEMAND No. 6-E.—WORKING EXPENSES—EXPENSES OF TRAFFIC DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 12,55,22,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Working Expenses—Expenses of Traffic Department'."

LEGISLATIVE ASSEMBLY

Thursday, 25th February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

THE NEW INDIAN STANDARD TIME.

†189. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable the Home Member please state the reasons which led Government to advance the time by one hour?

(b) Is the advance time to be maintained for a part of the year only or for the whole year?

(c) What steps have Government taken to meet the difficulties of the lower paid staff and clerks who used to go to offices after taking food and who due to this advance time have to go to offices without food which practice results in the inefficiency of work?

(d) Is it or is it not a fact that this change of time has been resented to by almost everyone affected by it? If not, have Government made an enquiry?

(e) Could not the object of the Government be met by changing the time of work in offices concerned, instead of advancing the time?

Mr. V. Sahay: (a) The attention of the Honourable Member is invited to the *Press Communiqué*, dated the 31st July, 1942, on the subject, a copy of which is placed on the table of the House.

(b) For the present it has been decided to maintain this time for the winter months only.

(c) The Honourable Member is presumably referring to the staff of the Central Government Secretariat. The opening hour of offices has been advanced by half an hour to meet any difficulty experienced by the staff.

(d) No.

(e) No.

Press Communiqué.

The existence of two different standards of time in India is for purposes of defence undesirable and since the 15th May, this year a uniform standard time has been observed throughout the country. In deciding what that standard should be the Government have had to consider on the one hand the convenience of that portion of India which lies to the west of meridian 82½ and already enjoys sufficient daylight saving and on the other the requirements of the eastern Provinces where it is essential to avoid any electricity overload due to overlap of factory demands with those of domestic, office and street lighting and where extra daylight may be needed to mitigate the effect of obscuration. Since in the summer months there is an adequate margin of daylight in the eastern areas, it was considered that by an adjustment of office and factory hours the requirements of those areas during the summer could be adequately met if Standard Time were fixed at 5½ hours ahead of Greenwich Mean Time throughout India and a uniform time was introduced accordingly as from the 15th May. The Government of India undertook, however to consider the question of a further change before the winter season commenced. It has now been decided that to ensure the continuance of sufficient daylight in the eastern Provinces it is necessary to make such a change in the near future, and that Indian Standard Time throughout the country should be 6½ hours ahead of Greenwich Mean Time. The change will take effect from midnight of the 31st August—1st September, from which date clocks will be advanced by one hour. It is fully realised that the advance of clocks by one hour must inevitably cause some inconvenience to areas lying west of meridian 82½ but it is believed that by an adjustment of hours of work, this inconvenience can be overcome and that when the public becomes accustomed to the new time no great difficulty will be experienced.

HOME DEPARTMENT;
New Delhi, the 31st July, 1942.

†Answer to this question laid on the table, the questioner being absent.

ARREST OF LALA SHANKAR LAL.

190. *Sardar Sant Singh: Will the Honourable the Home Member please state:

- (a) when and under what section L. Shankar Lal was taken into custody;
- (b) whether his case has since been sent for review to some competent authority; and
- (c) if the answer to (b) be in the negative, whether Government propose to submit his case for review, if not, why not?

Mr. V. Sahay: (a) Lala Shankar Lal has been in custody since November 1941, as a result of orders passed under Defence of India Rule 26.

(b) and (c). Government do not propose to review his case at present because they are fully satisfied that he must continue to be detained.

Sardar Sant Singh: May I know if there is any rule which provides for the review in such cases and, if so, after what period?

Mr. V. Sahay: No, Sir.

PAUCITY OF MUSLIM ASSISTANT INCOME-TAX COMMISSIONERS IN THE PUNJAB, DELHI AND NORTH-WEST FRONTIER PROVINCE.

191. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable the Finance Member please state the total number of posts of Assistant Commissioners of Income-tax in the Province of the Punjab, Delhi and the North-West Frontier Province? How many of them are held by Muslims, Hindus and Sikhs? How many of the posts are permanent and is any of them held by a Muslim?

(b) Is it a fact that out of the non-Muslim Assistant Commissioners of Income-tax, a majority (not less than four) were once considered by the Central Board of Revenue as inefficient, and were ordered to be retired on pension as soon as possible? If so, why were such officers allowed to continue in service?

(c) Is it a fact that certain Assistant Commissioners, including even those who were considered inefficient by the Central Board of Revenue, and who were due to retire last year, were given extensions? If so, what were the reasons for doing so, thus blocking the promotion of such Income-tax Officers who could step into their places?

(d) Is it a fact that during the last two years all the vacancies for the posts of Assistant Commissioners, temporary or officiating, were given to non-Muslims and not a single Muslim was even considered as against the non-Muslim Income-tax Officers, who were considered unfit by the Department, to hold one of the posts?

(e) Are Government aware that persons now eligible for the posts of those Assistant Commissioners are Muslims, and that efforts are being made to avoid their chances of appointment to the posts by adopting the above methods?

(f) Is it a fact that the question of creating another post of Assistant Commissioner of Income-tax in the Punjab, Delhi and the North-West Frontier Province Circle, is under the consideration of Government? If so, do Government propose to consider the appointment of a Muslim Officer to the newly created post to give the Muslims an adequate share in services in the Income-tax Department?

The Honourable Sir Jeremy Raisman: (a) Seven—three permanent and four temporary. Three permanent and three temporary posts are held by Hindus and one of the four temporary posts by a Muslim.

(b) Four Non-Muslim Assistant Commissioners of the Punjab Income-tax Department were warned that there was a likelihood of their being retired on completing 25 years' qualifying service or on attaining the age of 50, whichever was later. This action was taken under Article 465-A of the Civil Service Regulations, and does not imply that the officers in question are regarded as being so inefficient as to warrant their removal from service.

(c) No.

(d) and (e). The appointments were made on the basis of seniority combined with merit and did not involve the supersession of Muslim officers. It is not the case that attempts are being made to prevent the promotion of Muslims.

(f) The answer to the first part of the question is in the negative, and the second does not arise.

Mr. H. A. Sathar H. Essak Sait: May I know what is the answer to the second part of part (b) of the question?

The Honourable Sir Jeremy Raisman: These officers have not yet completed 25 years' qualifying service or attained the age of 50, whichever was later. That is the answer. They are, therefore, still in service.

Mr. President (The Honourable Sir Abdur Rahim): Maulana Zafar Ali Khan, Question No. 192.

(The Honourable Member was absent.)

Mr. N. M. Joshi: Sir, I am not authorised by the Honourable Member to put this question but as I am very much interested in the reply, may I put it?

Mr. President (The Honourable Sir Abdur Rahim): The usual practice must be followed. I have allowed a departure from it on one occasion in the Honourable Member's favour but I cannot make that the rule.

DESIRABILITY OF RAISING THE MAXIMUM OF PENSION OF DAFTARIES OF CERTAIN OFFICES.

[192. *Maulana Zafar Ali Khan: (a) Will the Honourable the Finance Member be pleased to state if it is a fact that peons of the offices of the Director General, Posts and Telegraphs, the Auditor General and other local offices whose maximum scale of pay is Rs. 16 are entitled to half pension not exceeding Rs. 8 per mensem?

(b) Is it a fact that daftaries in the offices of the Director-General, Posts and Telegraphs, the Auditor General and other attached offices are entitled to half pension not exceeding Rs. 20 per mensem?

(c) Is it a fact that the maximum scale of pay admissible to peons in the offices of the Accountant-General, Central Revenues, the Deputy Accountant General, Posts and Telegraphs and the Controller of Supply Accounts, etc., is Rs. 16 per mensem, and, consequently, they earn half pension not exceeding Rs. 8 according to the pension rules applicable to them? If so, what is the reason for treating the daftaries in these offices whose maximum pay varies from Rs. 30 to Rs. 40 differently with the result that they are only entitled to a pension not exceeding Rs. 8 per mensem irrespective of their maximum pay?

(d) Do Government propose to take immediate steps to issue orders entitling the daftaries of the above mentioned offices to half pension not exceeding Rs. 20, per mensem, as in the case of other offices where such pension is admissible?

The Honourable Sir Jeremy Raisman: (a) and (b). Yes.

(c) The reply to the first part of the question is in the affirmative. As regards the second part, the question as to the different categories of inferior servants to whom the old rates of pensions should be allowed on the introduction of the new pension Rules in 1936, was carefully considered and it was decided, mainly on administrative and financial grounds to continue the benefit of the old rates to those categories only who were already enjoying them, namely—daftaries in the Departments of the Government of India and its attached offices at Headquarters and not to extend them to subordinate offices.

It may be stated for the information of the Honourable Member that the maximum pay of the daftaries referred to in part (c) of the question is Rs. 35 and not Rs. 40.

(d) No.

†Answer to this question laid on the table, the questioner being absent.

DECLARATIONS OF EXEMPTION UNDER THE REGISTRATION OF FOREIGNERS ACT.

Mr. V. Sahay (Government of India: Nominated Official): Sir, I lay on the table a copy each of the Declaration of Exemption—

- (i) No. 1/8/42-Poll.(E), dated the 17/19th October, 1942;
- (ii) No. 1/42/42-Poll.(E), dated the 6th October, 1942;
- (iii) No. 1/44/42-Poll.(E), dated the 7th November, 1942;
- (iv) No. 1/46/42-Poll.(E), dated the 19th November, 1942;
- (v) No. 1/48/42-Poll.(E), dated the 2nd December, 1942;
- (vi) No. 1/49/42-Poll.(E), dated the 24th November, 1942;
- (vii) No. 9/53/42-Poll.(EW), dated the 18th November, 1942;
- (viii) No. 1/52/42-Poll.(E), dated the 28th November, 1942;
- (ix) No. 1/54/42-Poll.(E), dated the 4th January, 1943;
- (x) No. 1/43/Poll.(E), dated the 22nd January, 1943;
- (xi) No. 1/4/43-Poll.(E), dated the 11th February, 1943;
- (xii) No. 1/5/43-Poll.(E), dated the 10th February, 1943; and
- (xiii) No. 1/8/43-Poll.(E), dated the 4th February, 1943.

No. 1/8/42-Political (E.), Government of India, Home Department, dated Simla, the 17th/19th October, 1942.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Messrs. John, F. O'Grady, Ben Franklin Brannon, Bruce Rogers and Dale B. Maher, officials attached to the Office of the Personal Representative of the President of the United States of America to India, New Delhi, so long as they hold posts in that office.

B. L. PANDEY,
for Joint Secretary to the Government of India.

No. 1/42/42-Political (E.), Government of India, Home Department, dated Simla, the 6th October, 1942.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners shall not apply to, or in relation to, Mr. J. L. McCormack and Captain C. H. Getchell of the War Shipping Administration of the United States Government at Bombay so long as they hold posts under that Administration.

B. L. PANDEY,
for Joint Secretary to the Government of India.

No. 1/44/42-Political (E.), Government of India, Home Department. dated Simla, the 7th November, 1942.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Miss. A. Guthrie, General Secretary, Young Women's Christian Association, India, so long as she continues to perform the duties of that post.

B. L. PANDEY,
for Joint Secretary to the Government of India.

No. 1/46/42-Political (E.), Government of India, Home Department. dated Simla, the 19th November, 1942.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions

DECLARATIONS OF EXEMPTION UNDER THE REGISTRATION OF FOREIGNERS ACT 607

of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to Mr. Edward R. Eichholzer, Director, American National Red Cross, Mr. Mark Tomas, Assistant Director, American National Red Cross and Mr. Fred G. Reed, Director of Accounting, American National Red Cross, so long as they hold these posts.

B. L. PANDEY,
for Joint Secretary to the Government of India.

No. 1/48/42-Political (E.), Government of India, Home Department, dated Simla, the 2nd December, 1942.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of rule 10 (2) of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to, Mr. Hubert Gerard Pieter Vorstermans, Manager, Spencer's Cigar Factory, Dindigul.

B. L. PANDEY,
for Joint Secretary to the Government of India.

No. 1/49/42-Political (E.), Government of India, Home Department, dated Simla, the 24th November, 1942.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners shall, not apply to, or in relation to, Mr. Gordon Tweedy, Representative of the China Defence Supplies in Delhi, so long as he continues to perform the duties of that post.

B. L. PANDEY,
for Joint Secretary to the Government of India.

No. 9/53/42-Political (EW), Government of India, Home Department, dated New Delhi, the 18th November, 1942.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Alfred Carl Finger, an American National Representative of the United States Government Department of Posts in India so long as he continues to perform the duties of that post.

H. J. FRAMPTON,
Joint Secretary to the Government of India.

No. 1/52/42-Political (E.), Government of India, Home Department, dated Simla, the 28th November, 1942.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Bushrod Brush Howard, Mr. Gustaf Harold Nyberg, Commander Malcolm Lee Worrell and Captain John Clifford Vach, members of the Joint Anglo-American Mission, so long as they remain members of that mission.

B. L. PANDEY,
for Joint Secretary to the Government of India.

No. 1/54/42-Political (E.), Government of India, Home Department, dated Simla, the 4th January, 1943.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners' Rules, 1939, except Rule 8 and such of the provisions of Rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not

foreigners, shall not apply to, or in relation to, the following United States nationals :—

1. Charles Harvey Wyant.
2. Fred Herbert Davies.
3. Byram C. Guerin.
4. David J. Edwardes.
5. Robert K. Lindstedt.
6. Mr. Burton H. White—Legal Representative in India of the United States War Shipping Administration. Expected to arrive in India in near future and to establish his office at New Delhi.
7. Harry W. Whitt—Special Representative of the Metals Reserve Co., and of the Defence Supplies Corporation of the United States; at present a resident of Karachi.

Employees of the United States
Office of War Information at
Bombay.

B. L. PANDEY,

for Joint Secretary to the Government of India.

No. 1/43-Political (E.), Government of India, Home Department, dated New Delhi, the 22nd January, 1943.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners' Rules, 1939, except Rule 8 and such of the provisions of Rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Henry J. Canfield, American Diplomatic Courier attached to the American Legation at Kabul, so long as he continues to hold this post.

B. L. PANDEY,

for Joint Secretary to the Government of India.

No. 1/4/43-Political (E.), Government of India, Home Department, dated Simla, the 11th February, 1943.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners' Rules, 1939, except Rule 8, shall not apply to, or in relation to, the following United States nationals :—

(1) Willard T. Goodwin, Senior Representative, United States War Shipping Administration. (2) Edward S. O'Keefe, Representative (at Calcutta), United States War Shipping Administration. (3) Robert W. Cruickshank, Representative (at Karachi), United States War Shipping Administration. (4) Thomas C. Wan Nuys, Representative (at Calcutta), United States War Shipping Administration. (5) Herbert H. Suhr, Representative, Metals Reserve Company, and Member, Joint Mica Mission. (6) W. O. Babb, Representative, Metals Reserve Company, Defence Supplies Corporation. (7) J. Reed Hummer, Representative, Metals Reserve Company, Defence Supplies Corporation. (8) Simon Swerling, Representative (at Calcutta), United States Board of Economic Warfare. (9) Frank F. Watts, Representative Metals Reserve Company and Member, Joint Mica Mission (not yet arrived in India).

B. L. PANDEY,

Under Secretary to the Government of India.

No. 1/5/43-Political (E.), Government of India, Home Department, dated Simla, the 10th February, 1943.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners' Rules, 1939, except Rule 8, shall not apply to, or in relation to, Mr. Donald F. Harding, Representative, China Defence Supplies.

B. L. PANDEY,

Under Secretary to the Government of India.

Copy of a Declaration of Exemption No. 1/8/43, Political (E.), dated the 4th February, 1943, issued by the Government of India, Home Department, New Delhi.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners' Rules, 1939, except Rule 8 and such of the provisions of Rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners shall not apply to, or in relation to, Major Richard P. Heppner and Sergeant Bruce A. Pearl, attached to the Personal Representative of the President of the United States of America to India, so long as they continue to hold their present posts.

SUMMARIES OF THE PROCEEDINGS OF THE FOURTH LABOUR
CONFERENCE AND OF MEETINGS OF THE STANDING LABOUR
COMMITTEE.

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I lay on the table a copy* each of the following:

(1) Summary of Proceedings of the Fourth Labour Conference (First Tripartite Conference) held on 7th August, 1942.

(2) Summary of Proceedings of the First meeting of the Standing Labour Committee held on 30th November and 1st December, 1942.

(3) Summary of Proceedings of the Second meeting of the Standing Labour Committee held on 25th January, 1943.

THE COFFEE MARKET EXPANSION (AMENDMENT) BILL.

Mr. T. S. Pillay (Government of India: Nominated Official): Sir, I beg to move for leave to introduce a Bill to amend the Coffee Market Expansion Act, 1942.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to amend the Coffee Market Expansion Act, 1942."

The motion was adopted.

Mr. T. S. Pillay: Sir, I introduce the Bill.

THE INDIAN ARMY AND AIR FORCE (MILITARY PRISONS AND
DETENTION BARRACKS) BILL.

Mr. C. M. Trivedi (Secretary, War Department): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Army Act, 1911, and the Indian Air Force Act, 1932.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Army Act, 1911, and the Indian Air Force Act, 1932."

The motion was adopted.

Mr. C. M. Trivedi: Sir, I introduce the Bill.

DEMANDS FOR SUPPLEMENTARY GRANTS—RAILWAYS.

DEMAND No. 1—RAILWAY BOARD.

Mr. T. S. Sankara Aiyar (Government of India: Nominated Official): Sir, I move:

"That a supplementary sum, not exceeding Rs. 44,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Railway Board'."

The explanations for this supplementary demand and the succeeding ones, for which the approval of this House is sought, have been, as usual, given in brief at the foot of each demand and in detail in the memoranda placed before the Standing Finance Committee for Railways in their meeting held at the end of last month and incorporated in the proceedings of that meeting. Copies of these proceedings and of the demands have been distributed to the Members of this House.

Sir, I crave your indulgence, if I may, in striking a personal note in a few words. This is perhaps the last occasion on which I shall be addressing this House, and I feel it my duty to express my deep debt of gratitude to all the Members of the Standing Finance Committee for Railways for the generous, unstinted and invaluable help which they have given in their discussions and deliberations over various financial proposals placed before them. As Secretary first, and as Chairman later, I have had contact with them for over ten years now, and I am in a position to appreciate with profound gratification the increasingly growing interest, thirst for knowledge and information and jealous

*Not included in these Debates, but a copy of each has been placed in the Library of the House.—Ed. of D.

[Mr. T. S. Sankara Aiyer.]

care and scrutiny which they have been bringing to bear on sundry railway problems demanding their attention. They have kept me and my indefatigable Secretary, the Budget Officer of the Railway Board, ever on the *qui vive*, and we have endeavoured our best to rise up to their expectations, I believe, in the information we have gathered and given in the books I have referred to.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum, not exceeding Rs. 44,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Railway Board'."

The motion was adopted.

DEMAND No. 2—AUDIT.

Mr. T. S. Sankara Aiyar: Sir, I move:

"That a supplementary sum, not exceeding Rs. 36,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Audit'."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum, not exceeding Rs. 36,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Audit'."

The motion was adopted.

DEMAND No. 5—PAYMENTS TO INDIAN STATES AND COMPANIES.

Mr. T. S. Sankara Aiyar: Sir, I move:

"That a supplementary sum not exceeding Rs. 34,50,000, be granted to the Governor General in Council to defray the charges which come in course of payment during the year ending 31st March, 1943, in respect of 'Payments to Indian States and Companies'."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 34,50,000, be granted to the Governor General in Council to defray the charges which come in course of payment during the year ending 31st March, 1943, in respect of 'Payments to Indian States and Companies'."

The motion was adopted.

DEMAND No. 6-A.—WORKING EXPENSES—MAINTENANCE OF STRUCTURAL WORKS.

Mr. T. S. Sankara Aiyar: Sir, I move:

"That a supplementary sum, not exceeding Rs. 1,90,43,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Maintenance of Structural Works'."

It would perhaps be helpful, Sir, if I make a few observations now, which are common to this and the following seven demands relating to ordinary working expenses. Sir, that there should be a rise in our working expenses when an increase of 19 crores is expected in our gross receipts, is natural and obvious. But the increase is really far below what might normally be expected for that reason. First, though these eight supplementary demands total up to about 10½ crores, the net increase is expected to be only 7¼ crores, as there has been a saving of about 3 crores in the non-voted portion of the original grants. Secondly, Sir, even of this net increase of 7¼ crores, the increase correctly attributable to additional traffic is only about 2½ crores for enhanced repairs, extra temporary staff, and additional receipt and consumption of coal. I hope, Sir, it will be readily conceded that railway administrations have not only not been extravagant but have exercised care and control in their expenditure.

The remaining increase is due to special measures which we have had to adopt as a result, direct or indirect, of the present war. First comes the increased dearness allowance which we sanctioned to the staff from 15th June last and the loss which we are incurring now on the supply of foodstuff to them at less than our purchase price. This accounts for more than 2½ crores, and the amount is distributed between the various heads as under: 6A—71 lakhs, 6B—38 lakhs, 6C—20 lakhs, 6D—1 lakh, 6E—67 lakhs, 6F—24 lakhs, 6G—8 lakhs, 6H—11 lakhs.

We have also granted war bonus to staff on certain sections of the Bengal and Assam and the South Indian Railways, totalling about 7¼ lakhs. Finally

come the protective measures due to the war, including air raid precautions, formation of Defence of India Units, repairs to damages by floods, cyclone and sabotage and the patrolling of railway lines. Sir, I move

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum, not exceeding Rs. 1,90,45,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Maintenance of Structural Works'."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I did not understand the Honourable Member when he said that this was his last time when he had to address the House on this budget. I do not know what the meant. I hope he will explain to the House. I would much wish that he should hold that portfolio, because from the experience that I had of him during the years I have been a member of the Standing Finance Committee for Railways. I have seen him always ready to give all the information that was required by the Committee. It was to his credit, I should say. He made no haste in disposing of any items that were not placed before the Standing Finance Committee for Railways, especially when the questions relating to the promotion of lower gazetted people to the superior services came before the Committee. He not only put the matters before the Committee very lucidly, but he would place all the material before it. Whenever any information required by the Committee was not readily available he would go to the extent of postponing the meeting till the information asked for was available. I think the question to which he is giving his attention is yet pending, though we have had much information about that point. I hope the Honourable Member will continue at least to finish that item of the agenda which is very important and which is before the Standing Finance Committee for Railways.

So far as this supplementary grant is concerned, it refers also to repairs on account of flood and cyclone. Of course, we have gone through these items in the meeting of the Standing Finance Committee for Railways and we have given our attention, but I would submit that an attempt should be made to utilize this amount as speedily as possible and to have these repairs done quickly so that difficulties and inconveniences may be removed. I again thank him for the help which he gave us. He complimented us and I think it is due from us to give him that compliment.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): As a member of the Standing Finance Committee for Railways I would like not to miss this opportunity of endorsing what has been said by my Honourable friend, Mr. Lalchand Navalrai. We have always appreciated the great services which have been rendered by the Honourable the Financial Commissioner for Railways. We have always found him in a mood to meet with our wishes and desires of the Committee. He has taken lot of pains to place before the Committee the facts which we required. We want that the Financial Commissioner should take such pains as he has been taking since the day he has become the Financial Commissioner for Railways. As I said on a previous occasion with his assistance we found that officials of the Railway Board and Secretary of the Standing Finance Committee were always ready to do whatever the Committee required. If any extension can be justified under the present circumstances, I think it is the one which has been given to the present Financial Commissioner for Railways. As a matter of fact, no extension has been given to the Financial Commissioner, he has been re-called, because his services were indispensable for the Railway Administration. I think we will have no hesitation in endorsing such extensions only on the ground that no other Financial Commissioner for Railways is available.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has nothing to say about this motion?

Sir Muhammad Yamin Khan: So far as the supplementary grant is concerned, we have thrashed this matter very fully in the Committee and we found

[Sir Muhammad Yamin Khan.]

that there was ample justification for giving this supplementary grant. I would not like the House to think that these had been placed before the House without going into full details. As has been explained by the Financial Commissioner, there is full justification for the House to grant this supplementary demand.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 1,90,43,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Maintenance of Structural Works'."

The motion was adopted.

DEMAND NO. 6-B.—WORKING EXPENSES—MAINTENANCE AND SUPPLY OF
LOCOMOTIVE POWER.

Mr. T. S. Sankara Aiyar: Sir, I move:

"That a supplementary sum not exceeding Rs. 2,15,04,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Maintenance and Supply of Locomotive Power'."

Sir, apart from the dearness allowance which I have already mentioned as a common factor to all the demands, the greatest contributing factors for the increase under this demand are the coal bills and the freight on coal which account respectively for 32½ lakhs and 67½ lakhs. We expect to run the same total train mileage this year as last year, in fact a little less, but we expect to consume one lakh of tons of coal more. The increase in consumption is due to heavier loads of trains, and detentions of trains *en route*. The price of coal has risen by about four annas per ton on the average. There has also been an increase in the total receipts of coal, about 6½ lakhs of tons, which, along with variations in lead, accounts for the increase of 67½ lakhs in a year. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 2,15,04,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Maintenance and Supply of Locomotive Power'."

The motion was adopted.

DEMAND NO. 6-C.—WORKING EXPENSES—MAINTENANCE OF CARRIAGE AND WAGON
STOCK.

Mr. T. S. Sankara Aiyar: Sir, I move:

"That a supplementary sum not exceeding Rs. 58,65,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Maintenance of Carriage and Wagon Stock'."

Sir, I have just a word to say on this demand. Besides the dearness allowance, repairs have gone up by about 30 lakhs, and the reason must be obvious to anybody. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 58,65,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Maintenance of Carriage and Wagon Stock'."

The motion was adopted.

DEMAND NO. 6-D.—WORKING EXPENSES—MAINTENANCE AND WORKING OF FERRY
STEAMERS AND HARBOURS.

Mr. T. S. Sankara Aiyar: Sir, I move:

"That a supplementary sum not exceeding Rs. 3,14,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Maintenance and Working of Ferry Steamers and Harbours'."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 3,14,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Maintenance and Working of Ferry Steamers and Harbours'."

The motion was adopted.

DEMAND No. 6-E—WORKING EXPENSES—EXPENSES OF TRAFFIC DEPARTMENT.**Mr. T. S. Sankara Aiyar:** Sir, I move:

"That a supplementary sum not exceeding Rs. 1,17,11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Expenses of Traffic Department'."

Sir, besides dearness allowance, which accounts for 67 lakhs, additional staff is expected to cost nearly 16 lakhs, station forms and tickets and other stores about 11 1/3 lakhs and compensation for goods lost or damaged 7½ lakhs. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 1,17,11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Expenses of Traffic Department'."

The motion was adopted.

DEMAND No. 6-F—WORKING EXPENSES—EXPENSES OF GENERAL DEPARTMENTS.**Mr. T. S. Sankara Aiyar:** Sir, I move:

"That a supplementary sum not exceeding Rs. 53,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Expenses of General Departments'."

Sir, I have got just a word to say on this demand. Besides dearness allowance, which accounts for about 24 lakhs, additional staff cost 8½ lakhs, and additional police for patrol 13½ lakhs. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 53,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Expenses of General Departments'."

The motion was adopted.

DEMAND No. 6-G—WORKING EXPENSES—MISCELLANEOUS EXPENSES.**Mr. T. S. Sankara Aiyar:** Sir, I move:

"That a supplementary sum not exceeding Rs. 4,28,77,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Miscellaneous Expenses'."

Sir, the main causes for this demand are the expenditure on provision for air raid precautions, which accounts for about two crores, the provision for the raising of Defence of India Units, which is expected to cost over ¾ crore, loss on supply of foodstuffs to employees about half a crore and the dearness allowance about eight lakhs. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum, not exceeding Rs. 4,28,77,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Miscellaneous Expenses'."

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I find that the list of supplementary demands is a long list and consists of considerable amount of money. This item of Rs. 4,28,77,000 is a big item, no doubt, especially having regard to its being a supplementary one. Here in the footnote I find that some amount has been included not only for dearness allowance but for dearness allowance at the enhanced rate. It has not been explained whether dearness allowance is enhanced time after time or whether there is any fixed rule for giving dearness allowance. The second item is under (h)—provision for purchases for the catering department. I cannot follow what is meant by catering department. Is it that the railways are making arrangements to provide food for the passengers? . . .

Mr. T. S. Sankara Aiyar: Which item does the Honourable Member refer to?

Maulvi Muhammad Abdul Ghani: Page 10, under item (h), footnote. There mention is made about purchases for the catering department. What is that? For whom has this department been opened? Is it for the benefit of the

[Maulvi Muhammad Abdul Ghani.]

employees or for the benefit of the passengers? It is very difficult for us to accord sanction for such big amounts if no explanation is to be had and especially at a time when the year is about to close. Such items should have been brought before the House in the last Session at least. There was ample opportunity for the Department to consider the dearness and other allowances. There is mention of the opening of grain shops for foodstuffs to employees, but there is no mention of the amount that has been spent on them. These are the particulars required for the information of the House, so that we may be in a position to accord our sanction.

Mr. T. S. Sankara Aiyar: Sir, as far as I could make out through my auditory powers, the Honourable Member who spoke just now, he referred to purchases for the catering department. That item refers only to the South Indian Railway, where the railway administration itself runs the catering department, and purchases are made by the railway for stores in connection with such catering. The amount involved is small. It is mixed up with the provision of raising Defence of India Units, which is a much larger amount. The Honourable Member wanted information about the amounts spent by the railways on the reserve stocks of food. I have got only rough figures here. The railway administration on the whole expect to spend about Rs. 16 lakhs.

Maulvi Muhammad Abdul Ghani: What about the enhanced rates of dearness allowance? What is meant by that?

Mr. T. S. Sankara Aiyar: The enhancement which was made with effect from 15th June last.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum not exceeding Rs. 4,28,77,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Miscellaneous Expenses'."

The motion was adopted.

DEMAND NO. 6-H—WORKING EXPENSES—EXPENSES OF ELECTRICAL DEPARTMENT.

Mr. T. S. Sankara Aiyar (Financial Commissioner for Railways): Sir I move:

"That a supplementary sum, not exceeding Rs. 19,62,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Expenses of Electrical Department'."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum, not exceeding Rs. 19,62,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Working Expenses—Expenses of Electrical Department'."

The motion was adopted.

DEMAND NO. 8—INTEREST CHARGES.

Mr. T. S. Sankara Aiyar (Financial Commissioner for Railways): Sir, I move.

"That a supplementary sum, not exceeding Rs. 91,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Interest Charges'."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum, not exceeding Rs. 91,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Interest Charges'."

The motion was adopted.

DEMAND NO. 9-A—REPAYMENT TO DEPRECIATION RESERVE FUND.

Mr. T. S. Sankara Aiyar (Financial Commissioner for Railways): Sir, I move:

"That a supplementary sum, not exceeding Rs. 8,26,29,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Repayment to Depreciation Reserve Fund'."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum, not exceeding Rs. 8,26,29,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Repayment to Depreciation Reserve Fund'."

The motion was adopted.

DEMAND No. 10—APPROPRIATION TO RESERVE.

Mr. T. S. Sankara Aiyar (Financial Commissioner for Railways): Sir, I move:

"That a supplementary sum, not exceeding Rs. 7,33,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Appropriation to Reserve'."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum, not exceeding Rs. 7,33,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Appropriation to Reserve'."

The motion was adopted.

DEMAND No. 10-A—WITHDRAWAL FROM RESERVE.

Mr. T. S. Sankara Aiyar (Financial Commissioner for Railways): Sir I move:

"That a supplementary sum, not exceeding Rs. 6,30,07,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Withdrawal from Reserve'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum, not exceeding Rs. 6,30,07,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Withdrawal from Reserve'."

I may point out that Dr. Sir Zia Uddin has given notice of a motion for postponement of the consideration of this Demand.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I am not moving my amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a supplementary sum, not exceeding Rs. 6,30,07,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1943, in respect of 'Withdrawal from Reserve'."

The motion was adopted.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

Mr. President (The Honourable Sir Abdur Rahim): Sir Edward Benthall.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I move:

"That the Bill further to amend the Indian Railways Act, 1890, as reported by the Select Committee, be taken into consideration."

Sir, the changes made in the Bill are explained in the report of the Committee, and I am glad to say that the report is a unanimous one. The principal changes are those in sub-sections (1) of the proposed new section in the second clause. There is the omission of the word "direct" in order to cover the consequential results arising out of an accident to a passenger. If a passenger were to be injured and in spite of taking care and proper medical attention were subsequently to get dangerously ill, the passenger would be covered but it does not absolve the passenger from the results of subsequent neglect of such an injury.

In sub-section (2) of the proposed new section there have been two amendments. The first amendment is to raise the limit of Rs. 7,000, included in the original Bill, to Rs. 10,000. The principle of limitation was, of course, agreed when the Bill was referred to the Select Committee. The whole matter was discussed again in some detail on the Select Committee, but the committee was unanimous that the principle was fair to the Railways. It was recognized that if the Railways were to take the liability for an accident for which they were not responsible, there should properly be a limitation. But as regards the amounts, several members in the original debate on the floor of the House suggested that the figure should be increased and in the course of the Select Committee it was agreed on the proposal of a non-official Member that the amount should be raised to rupees ten thousand. While we must have regard to the financial position and the burden that is placed upon the Railways, we were happily able to agree to that increase.

Then, as regards ticketless travel, the words which were previously included have been omitted. After the debate in the House on the last occasion, we carefully considered the views which were expressed. We made enquiries of the

[*The Honourable Sir Edward Benthall.*]

Railways and we found that, in fact, no difficulties had ever arisen over payment of compensation in cases where compensation was due from the Railways to passengers found to be killed or injured and not in possession of tickets. There is no evidence of any case where the liability had been repudiated. Nevertheless, having regard to that fact and recognizing that the insertion of the words might cause hardship to legitimate passengers, travelling legitimately but without ticket, and with some hesitation lest we were giving a loophole to malpractices, we recognized that it would be more just to omit the words referring to ticketless passengers. But I should point out that the Railways still have recourse to proving that a passenger is, in fact, a trespasser, is, in fact, travelling without a ticket with the intention of defrauding the Railways.

I have nothing else to add, Sir, except that although this is disguised as a Railway Bill, it is, in fact, a remarkable piece of social legislation. It is a form of legislation which is not in force in any other country. There are two ways of looking on this: On the one hand it is regrettable that over a long period sabotage has become such an established feature of life in India as to necessitate this unique piece of legislation; on the other hand, granted the existence of such a state of affairs, it is perhaps a matter of some satisfaction that we are able to meet a widespread demand from the public to provide compensation to the innocent victims. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved.

"That the Bill further to amend the Indian Railways Act, 1890, as reported by the Select Committee, be taken into consideration."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rurid): Sir, I welcome this Bill, but there are certain necessary amendments which I will move later. At present I will speak about the consideration of the Bill.

Usually when there are accidents, or sabotage, or derailments and people are killed and much damage is done, the claimants for compensation have to go to the civil courts to seek remedy. In the court, according to the general law, it has to be proved that the Railway has been negligent and that is why they should pay compensation. It has been observed that in going to the court, both sides—the Railways as well as the claimants—have to incur a lot of expense, and, therefore, an easy way of disposing of the claimants is provided in this Bill, and that appears to be a reasonable and speedy way for the disposal of claims. The Bill originally provided that the amount of compensation to be given will be rupees seven thousand in respect of one person. In the Select Committee it was considered, it seems, and it was also considered by the House on the last occasion, that this amount is not sufficient and that it should be raised. Therefore, the Select Committee has very wisely raised this amount to rupees ten thousand. Of course, people are not debarred from going to the court and claiming more damages if they so like, but this is an easy way of disposing of the matter to the satisfaction of the people because there will be negotiations for the purpose of finding out how much damage should be given to them and that would be not only a speedy method but a satisfactory method of disposal. So far as the Bill and the provisions are concerned, I have nothing to find fault with, but then I see that the Bill, as it has emerged from the Select Committee, does not mention from what date it will have operation. As nothing has been provided in the Bill, it would seem that it would apply either from the date on which it is passed or from the date from which the Governor-General in Council declares that it will apply. Here my submission is that you will have to consider what will be the claims, whether they will be only prospective claims or there will also be claims pending now, where sabotage has taken place, where derailments have taken place, where collisions have taken place, where accidents have taken place. There are several claims of people pending, and the idea of the Railway Department is to settle those claims. Things should not be done in a half hearted manner and you should not merely give it a pros-

pective effect but also retrospective effect. If not, the object of the Bill will not be served. We do not know whether any accidents will take place hereafter. Sabotage may have stopped and no accidents may happen at all hereafter. I have given notice of two amendments with regard to the time from which the Bill is to have effect, but I will not dilate upon them; I shall do so when I move those amendments. I have suggested that the Bill should take effect from the 1st January, 1942, or 1st April, 1942, so that claims that have arisen from that time may be disposed of in this summary and more satisfactory manner instead of people having to go to courts which will equally put the railways to a deal of expense and the railways may run the risk of having to pay more than Rs. 10,000 as compensation. Therefore, it is to the interests of the railways that they should fix the time from which the Bill is to come into force. I would not say anything more at present. It was in 1942 that accidents and sabotages took place. It was in 1942 that the Lahore Karachi Mail was sabotaged. I will say something more about this later. I have no objection to the Bill, as reported by the Select Committee, being taken into consideration.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill further to amend the Indian Railways Act, 1890, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The House will now consider the Bill clause by clause. Clause 2.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): I am not moving amendments Nos. 3 and 4. I move No. 5. I beg to move:

"That in clause 2 of the Bill, in sub-section (2) of the proposed section 82A, for the word 'ten' the word 'twelve' be substituted."

The compensation provided is for death also, and the amount of Rs. 10,000 is not an adequate amount in the case of a person who has died leaving a number of dependants. So, I think it would be better if the limit of compensation were raised from Rs. 10,000 to Rs. 12,000. When the Bill was being referred to Select Committee, we urged this fact for the consideration of the Select Committee. The Select Committee has raised the figure but not to the desired extent. I hope the Honourable Member in charge will consider this aspect and accept my moderate amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved.

"That in clause 2 of the Bill, in sub-section (2) of the proposed section 82A, for the word 'ten' the word 'twelve' be substituted."

The Honourable Sir Edward Benthall: Sir, the figure which Government originally proposed was Rs. 7,000. The matter was discussed, as I mentioned, in the Select Committee and it was eventually agreed that the figure should be altered to Rs. 10,000. The Honourable Member suggests that this should now be raised to Rs. 12,000. But he has not given any very substantial reasons for this increase, nor do I find that the House is behind him in this proposal. I am afraid, therefore, that I cannot accept the amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 2 of the Bill, in sub-section (2) of the proposed section 82A, for the word 'ten' the word 'twelve' be substituted."

The motion was negatived.

Clause 2 was added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): Clause 1.

Mr. Lalchand Navalrai: Sir, I move:

"That in clause 1 of the Bill for the figures '1943', the figures '1942' be substituted and the following be added at the end:

'and comes into force from 1st January, 1942'."

I have another amendment also which I shall move if this is not accepted. In the Bill as it originally stood, the words were "Act, 1942", but now an alteration has been made into "Act, 1943".

Mr. President (The Honourable Sir Abdur Rahim): The original Bill was of 1942.

Mr. Lalchand Navalrai: Yes. The original Bill was of 1942, but I do not know for what reasons, or whether the Select Committee actually considered the change or not—we find that there is a change to “1943”. The Report of the Select Committee shows clearly that this point was not given full consideration as I do not find any mention of this alteration in the Report. Either it has escaped attention, or this “1943” has been added—I do not know, because I was not a member of the Select Committee. What I find in the Report is this. In the Report, it is said “We have the honour to submit this our Report, with the Bill as amended by us annexed thereto”. The first amendment

12 Noon. is with respect to the word “direct”. I have nothing to do with it at present but the alteration is that they have omitted the word “direct”. Then in the second paragraph, you find that they have changed it to Rs. 10,000 and further on they say “We have also corrected the marginal note to the section”. The marginal note is not to paragraph 1 but it is to paragraph 2, because it is underlined. In the Bill as it is, we find the marginal note and in the marginal note the words “trains carrying passengers” are underlined. That is the second change. Then further on, we find that they have said “We have increased the limit set to the liability of a railway administration from seven thousand rupees to ten thousand rupees, and we have omitted the provision which specifically debarred a passenger travelling without having with him a proper pass or ticket from having any right to compensation if involved in an accident”. Then, later on, it is said “We think that the Bill has not been so altered as to require republication, and we recommend that it be passed as amended”. I do not find any explanation anywhere as to why the Bill of 1942 was changed to the Bill 1943.

Mr. President (The Honourable Sir Abdur Rahim): When was this Bill introduced, in 1942?

Mr. Lalchand Navalrai: I do not know the date. (*An Honourable Member:* “In September”). My point is this. I was not a member of the Select Committee. I think this question of having some retrospective effect would have been very much considered by the Select Committee and they should have said something about that. This is a very important question. Apart from the change from 1942 to 1943. . . .

Mr. President (The Honourable Sir Abdur Rahim): The object of both the amendments is the same?

Mr. Lalchand Navalrai: Virtually the same. The date is different. I will explain why I have said that. It is the financial year.

Mr. President (The Honourable Sir Abdur Rahim): Surely the Honourable Member must make up his mind as to what date he wants. He cannot move two such amendments at the same time.

Mr. Lalchand Navalrai: Can I not move it alternatively?

Mr. President (The Honourable Sir Abdur Rahim): I will decide that when the Honourable Member comes to it.

Mr. Lalchand Navalrai: May I decide which I should follow?

Mr. President (The Honourable Sir Abdur Rahim): That depends upon the Honourable Member. I cannot give any ruling in anticipation. It is not the practice of the House.

Mr. Lalchand Navalrai: I am moving the first and then I will move the second.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already submitted his arguments.

Mr. Lalchand Navalrai: My submission is that the Bill should come into force from 1st January, 1942. There were many collisions and derailments and accidents in the year 1942. The original Bill also said it was an Act of 1942. If it is now changed to 1943, many claims in respect of derailments and accidents will have to go to court. Therefore, I move my amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 1 of the Bill for the figures '1943', the figures '1942', be substituted and the following be added at the end:

'and comes into force from 1st January, 1942'."

The Honourable Sir Sultan Ahmed (Law Member): Sir, I should like to say a few words with respect to the two points which were raised by my Honourable friend, Mr. Lalchand Navalrai. First of all, he was surprised that this Bill did not say as to the time from which it is going to take effect. As an experienced Parliamentarian, he ought to have known that the Bill comes into force the moment the assent of the Governor General is given. The second thing is that he is absolutely amazed that "1942" in clause 1 was amended to 1943, without any explanatory note by the Select Committee. This again has come to me as a shock. I have been here for 18 months but my Honourable friend has been here for seven years. The Bill was introduced in 1942. So, it had to be 1942. But the Select Committee met in 1943 and the Report of the Select Committee was made in 1943. So, it could not be the amending Act of 1942 in any case. So far as the policy is concerned as to why it was not given effect to from 1st January, 1942, I submit no reason has been given why the period should be from the 1st January and not from the date when the Governor General's assent was given.

The Honourable Sir Edward Benthall: Sir, I should perhaps explain the reasons why Government cannot accept this amendment. I explained when the Bill originally came up that the Bill had no special reference at all to accidents which occurred last year due to sabotage, cyclones or anything else. The Bill had been under consideration for quite a long time before that and, therefore, there was no intention of making it especially applicable to the events of last year. Secondly, I should explain that some of the claims of last year have already been paid. It would be difficult to obtain evidence of various factors which have been taken into account in assessing the amount of compensation to be paid and, furthermore, it will be difficult, if not impossible, for the Railways to obtain a refund of the amounts paid in excess of what would be payable under the new law. For these reasons I must oppose it.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 1 of the Bill for the figures '1943', the figures '1942', be substituted and the following be added at the end:

'and it comes into force from 1st January, 1942'."

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member wish to move his second amendment?

Mr. Lalchand Navalrai: Yes, Sir. I move:

"That in clause 1 of the Bill the following be added at the end:

'and it comes into force from 1st April 1942'."

Sir, I am not disappointed by what has happened up to now with regard to my amendment. It may be that the Honourable Member may be thinking that between January and April, to which period this amendment applies, there might have been some claims which have been disposed of, but I do not know personally of any claims which have been disposed of after April, 1942. There may have been certain cases which have been disposed of, but we should not say that because some cases have been disposed of in the courts or by compromise, therefore, this Bill should not have the benefit of disposing of the cases that are pending. Therefore, I do not think that any substantial reason has been given for not accepting the amendment putting certain limit to it. Now, in this amendment I have mentioned the period as from 1st April, 1942 because the financial year begins from that month. What I am saying is this. When I see that the Government is not inclined to make a change, I would appeal to the Honourable the Railway Member and also to the House that they are leaving many cases which could be taken to the courts and in that way their claims will also be affected. Therefore, it is much better that there should be a provision to that effect and if people come forward for the adjudication of their claims, they will be disposed of according to this Act.

[Mr. Lalchand Navalrai.]

But if they do not come forward and if the railways think that they are not going to dispose them of according to this Act, then they will be decided in the ordinary manner. I do not think the Government ought to be adamant in not giving even this very reasonable concession to the people.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 1 of the Bill the following be added at the end:

"and it comes into force from 1st April 1942."

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): Sir, I rise to support the amendment moved by my Honourable friend. I wish to say only one word in reply to the Honourable the War Transport Member. I know of cases in Sind where no compensation has yet been paid. There has been a disaster in Sind on 16th May and I am certain of three or four cases where no compensation has yet been paid. Another argument that I wish to answer is, that there is no question of asking for refunds, because no amount has been paid in excess to what the Bill has laid down. I know for certain that in the two disasters not a single man has been paid over Rs. 5,000 or Rs. 7,000. I hope the Honourable Member will accept this amendment.

Mr. Ananga Mohan Dam (Surma Valley *cum* Shillong: Non-Muhammadan): Mr. President, Sir, I rise to support the amendment moved by my Honourable friend, Mr. Navalrai. This is a clause which is meant for giving relief to the people and I do not see any reason why Government should not accept it when it will give relief to those persons who were subjected to undergo various sufferings during the period mentioned in the amendment. It is only natural that in these laws which try to give relief to the people the retrospective effect should be immediately granted so that more cases may be included in it and justice may be done to the people. With these few words, I support the amendment moved by my Honourable friend.

The Honourable Sir Edward Benthall: Sir, I am afraid I do not find the arguments of my Honourable friends very convincing and certainly not sufficiently convincing to involve the railways in the expense which would be incurred. As regards my Honourable friend, Mr. Haroon's point, I undertake to look into the reasons for the alleged late payment, but for the reasons which I gave in respect of the first amendment, I am also opposed to this amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 1 of the Bill the following be added at the end:

"and it comes into force from 1st April, 1942."

The motion was negatived.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Edward Benthall: Sir, I move:

"That the Bill, as amended, be passed."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

THE ALIGARH MUSLIM UNIVERSITY (AMENDMENT) BILL.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands):

Sir, I move:

"That the Bill further to amend the Aligarh Muslim University Act, 1920, be taken into consideration."

As the Statement of Objects and Reasons indicates, this short Bill covers three unconnected matters affecting the Aligarh Muslim University Act. The first and third are purely formal matters; the second is a matter of substance.

The first amendment proposed should have been made when we amended the parent Act two years ago. It is consequential on the amendment made at that time. The third amendment now proposed is intended to clear up an ambiguity in the parent Act, which seeks, in section 33, to ensure that at least one "outside" examiner should be appointed for each subject in a Degree Course.

The change of substance involved in the proposed amendment of section 30 is brought forward with a view to expedite the introduction of special courses for students who wish to join fighting forces. By section 30 Ordinances are made, amended or repealed by the Executive Council of the University or, in academic matters, by the Academic Council; but validity is only acquired when the Ordinances have been submitted through the Court and the Visiting Board to the Governor General in Council, who may sanction, disallow or remit for further consideration. The Court is composed of some two hundred members, scattered all over India. It normally meets once a year. The present proposal is that Ordinances in matters arising out of war conditions should be submitted direct to the Central Government by the Executive Council or the Academic Council, as the case may be. The procedure will be applicable to the limited class of cases to which I have referred and its operation will be limited to the duration of the war and one year after. Sir I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Aligarh Muslim University Act, 1920, be taken into consideration."

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I rise to thank my Honourable friend, the Secretary of the Department of Education, Health and Lands, for moving this very important Bill. There are three points which he just mentioned. One is a consequential amendment of the Bill which we have already accepted. The word "Intermediate" was omitted in one section and we omitted to delete it in another place. Therefore a consequential amendment was necessary. In the Muslim University Act the words 'a member of the University' are mentioned but the word 'Member' is not defined. The definition there is indefinite. A member of the Court is a member of the University, a member of the Department is a member of the University, a member of the Board of Examiners is a member of the University, if an outsider is appointed an examiner he becomes a member of the Board of Examiners and ceases to be an outsider at once. We have got in the department certain persons who are not teachers in the University. The moment they become members of the Department they become members of the University. A member of the University cannot be called an outsider. These difficulties arise on account of the absence of the definition of the word 'Member' and the only way of solving this question is the manner in which it is proposed to be solved in the Bill.

The third point is about the change of procedure. Our Ordinances are at present submitted through the Court which meets only once a year. During war time we cannot wait for full one year. Quicker methods have to be adopted to give quicker effect to these Ordinances. The second thing is: even if we accept the emergency Ordinances they will become part of the permanent Ordinances which we do not want. We want them only for a period as is provided for in this Bill, i.e., a year after the war they will automatically cease to be valid. Therefore, these changes are extremely desirable. Of course, we passed a statute similar to the proposals mentioned in the Bill, but that was found to be *ultra vires* for various reasons. I, therefore, support the Bill.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): I expected that the Honourable Member in charge of the Bill might have brought some amendment regarding students' studies which they are undertaking. This is a novel university throughout India. The system of examination here entirely differs from the examination systems of other universities. The Punjab, Patna and the Delhi Universities provide in some form or another for supplementary examinations. Here there is no system of supplementary examinations. Even if a student fails in one technical subject and gets 50 per cent. aggregate marks, he shall have to wait for full one year.

The Honourable Sir Sultan Ahmed (Law Member): Is the Honourable Member speaking on the Bill?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must speak on the Bill before the House.

Maulvi Muhammad Abdul Ghani: In the Statement of Objects and Reasons I find that there is some mention of an Ordinance which will provide for a special course of study for students who wish to join the fighting forces. It is not clear whether the University is going to frame the Ordinance in a way like the one which the Punjab University adopted. They give certificate to the students of final years who wish to join the war. If that is the idea, then it should be welcomed and students of this University will have some facility to join the war which is going on. If it is meant that they should first join the war and after their return or discharge from the war they will be granted Degrees, I think, that will be a process not desirable, because once a student gives up his studies it is very difficult to undergo an examination after a period of, say two, three or four years. Who knows war will not last for three or four years. So, if the University wishes or intends to give the intending students certificates—I mean students of the final year classes—to join the war, then it is welcomed. With these few remarks I support the Bill.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill further to amend the Aligarh Muslim University Act, 1920, be taken into consideration."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. J. D. Tyson: Sir, I move that the Bill be passed

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill be passed."

The motion was adopted.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Sultan Ahmed (Law Member): Sir, I move:

"That the Bill further to amend the Code of Civil Procedure, 1908, be taken into consideration."

Sir, this is a very short Bill and the Objects and Reasons are fully set out in the Statement attached to the Bill. Under section 60 of the Code of Civil Procedure are enumerated the properties which are attachable and saleable in execution of a decree. There is a proviso under that section which makes an exception in cases of various particulars. Two of them are the salary and allowances of "public officer" and other employees. It has been found that the phrase "public officer" does not cover cases of various classes of people, such as, artisans working in Government factories and other places. Therefore, instead of the phrase "public officer", the Bill proposes to have the phrase "servants of the Crown". Artisans cannot come as "labourers" under clause (ii) because it has been held that they are not labourers within the meaning of that clause. That is the reason why we have made this amendment in order to cover all such cases. I think this is more or less a formal and non-controversial Bill and I hope it will be passed by the House.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Code of Civil Procedure, 1908, be taken into consideration."

Mr. N. M. Joshi (Nominated Non-Official): Sir, I sympathise with the object of the Bill. As it is drafted, the Bill gives freedom from attachment to artisans in Government employment. I should have liked the Government to have given that freedom to the artisans in private factories also. The Honourable Member himself has explained now that the word "labourer" to whom freedom from attachment is given under clause (h) does not include artisans. I do not know why any discrimination should be made between an artisan in the employment of Government and one in private employment. There are hundreds and thousands, I may say hundreds of thousands, of skilled workmen who are employed in private factories. I do not know why they should not get the benefit of this amendment. I feel, Sir, that the word "labourer" may not include even those artisans in private factories.

LEGISLATIVE ASSEMBLY

Saturday, 27th February, 1943.

The Assembly met in the Assembly Chamber of the Council House at Five of the Clock in the Evening, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Sir Gurunath Venkatesh Bewoor, C.I.E., M.L.A. (Secretary, Posts and Air Department).

THE BUDGET FOR 1943-44.

The Honourable Sir Jeremy Raisman (Finance Member): Since I last presented a Budget to the House, it has become patent to all that on the military side the war has entered on a new phase, the prelude, let us hope, to a decisive victory for the United Nations in a no longer distant future. The enemy is everywhere on the defensive. Though the destruction of the armed forces of the Axis Powers is the primary objective, we may also welcome, from the economic point of view, the cessation of the territorial acquisitions of the enemy, which have enabled him, by enslaving the local populations and by drawing upon local resources of raw materials and foodstuffs, to prolong the conflict in the economic as well as in the military sense.

2. The heartening position in which the United Nations now find themselves has not been achieved without an immense strain upon the economic apparatus of the entire world. We all rejoice with the Russian people as the enemy is flung out of one position after another, but from the economic aspect there is a call for additional plant, additional man-power and additional shipping to produce and transport the additional supplies which alone render such victories possible. The New Year message to Congress which the President of the United States delivered a few weeks ago affords impressive evidence of the stupendous war-potential of the American people; it also shows that, except to the extent that hitherto unemployed resources can be utilised for the purpose, every increase in the armed power of America accentuates the strain upon productive power. Not so long ago, there was reason to fear that the dislocation of world trade caused by the war, by the shortage of shipping and the closure of markets, would force many countries of the world to grapple with the problem of surpluses. If, as regards one or two commodities, this fear is not entirely without foundation, the broad picture which confronts us today is one of omnipresent and cumulative shortage: of man-power, of materials, of equipment and of shipping. Moreover, in every part of the world this fact of shortage is being brought home to the common man in the most striking and positive way. Owing to shortages of labour, longer working hours and higher rates of wages, the money incomes of very large numbers of people have risen sharply and yet they find that these incomes cannot be freely spent: that everywhere the State is stepping in in order to control and limit consumption and thus to make the little that is available go as far as it possibly can.

3. We must, I feel, view the Indian economic situation in the light of these general world conditions if we are to pass a valid judgment upon what has been happening in this country in the last twelve months. As in the military, so in the economic sense, the war has come closer to India. In other words, economic conditions in India have become more closely assimilated to those prevailing in the outside world than was the case a year or more ago and, because the pace of assimilation has become accentuated, we are more conscious of the process of adaptation. Looking back on the first two years of the war,

[Sir Jeremy Raisman.]

we can now see more clearly than was then possible how largely the favourable effects on India's economy outweighed the unfavourable ones. The war was far from our shores and yet it exerted a marked expansionist influence on production, employment and trade without any very serious disadvantages accompanying the transition from peace to war. It is true that we lost some overseas markets, but we gained others. Our external resources mounted rapidly and the repayment of our external debt began, a process which will have a permanent effect upon India's international situation. Employment improved and higher earnings compensated the rise of agricultural prices, which in its turn improved the buying power of the ryot, and the mounting demand was met by a fuller utilisation of the margin of productive power still available. It would be idle to pretend that in the last twelve months the unfavourable factors have not gained relatively to the favourable. Occupation by the enemy of neighbouring territory has robbed us of part of our food supplies and increased the strain on communications. The war-demands are eating deeply into our manufacturing capacity, expanded though that has been. The drastic cutting off of imports has reduced our supplies and helped the profiteer to exploit the consumer. At a time when our food supplies were reduced by the cutting off of imports we have had to come to the assistance of Ceylon. Civil disturbances have added to difficulties of transport and at the same time have encouraged individuals to hold stocks of food on a larger scale than usual. Prices have risen and, as in other parts of the world, an increased money income is being expended on a smaller stream of immediately available goods.

4. But, I repeat, the increased difficulties which we are now called upon to face are not in any way unique, and no good purpose can possibly be served by magnifying them or by failing to recognize that there are also favourable factors in the situation. Even if rising agricultural prices have done nothing else, they have obviously diminished the real burden of agricultural indebtedness, a source to which so many of the major evils which beset the Indian cultivator have so often been traced. The industrial worker is enjoying full employment at rising wages and if he can be induced to exercise sufficient self-control and abstain from the immediate purchase of superfluities, he can build up a useful fund against the contingencies of the future. Our external debt is on the point of disappearance and we have large funds in hand with which we can finance the improvement of our industrial equipment in the future. All in all, when we compare our economic position with that of the other belligerent nations, we can face the difficulties of the present, not with complacency, for which there is certainly no room, but with the conviction that our problems are no worse and are indeed in many respects, easier than those of other peoples in a world at war.

FINANCIAL YEAR 1941-42.

5. I will now touch briefly, according to custom, on the results of the last financial year 1941-42. In our revised estimates we expected to end the year with a deficit of Rs. 17,27 lakhs. The actual deficit turned out to be only Rs. 12,69 lakhs. Revenue improved by no less than Rs. 4,95 lakhs, of which Rs. 1,89 lakhs are accounted for by Customs, Rs. 1.05 lakhs by the larger contribution made by the Railways to General revenues, and Rs. 1.48 lakhs by Central Excise duties and Income-tax. Defence expenditure increased by Rs. 1.48 lakhs which was offset in a large measure by savings aggregating Rs. 1.11 lakhs in the total Civil expenditure.

FINANCIAL YEAR 1942-43.

6. I turn now to the current year 1942-43, and will deal first with the revenue aspect.

Last February, in laying before the House our revenue estimates for this current year, I warned Honourable Members that there was likely to be a further marked drop in the scale of our imports, owing mainly to the war in

the Pacific. Customs receipts during the first ten months of the financial year show a deterioration of over Rs. 6½ crores as compared with those of the corresponding months of the previous year. We now anticipate that for the whole year 1942-43 the net Customs receipts will amount to Rs. 31.00 crores, against the Budget estimate of Rs. 35.35 crores, or a shortfall of 4.35 crores. Salt revenue is estimated to amount to Rs. 10.50 crores.

7. Collections of Income-tax and Corporation Tax have continued to increase. Receipts on account of ordinary Income-tax including central surcharge are expected to yield Rs. 7 crores more than our Budget estimates. With increasing experience gained in the administration of the Excess Profits Tax Act, the work of assessment has steadily progressed and our total collections under this head, including advance payments, are expected to reach Rs. 26 crores, that is Rs. 7 crores more than the Budget estimate. The provincial share of the divisible pool of Income-tax will now be approximately Rs. 10.55 crores as against Rs. 8.37 crores originally provided for in the budget.

8. The large increase under Currency and Mint calls for some explanation. Our Budget estimate of Rs. 3.26 lakhs included Rs. 2.47 lakhs as surplus profits of the Reserve Bank and Rs. 45 lakhs on account of profits from the circulation of bronze and nickel coin. Our share of the Reserve Bank's profits this year amounted, however, to Rs. 3.24 lakhs. As regards the profits from small coin, Hon'ble Members will recall the decision, announced in my speech introducing the Budget for 1941-42, to credit to revenue from that year onwards an average figure of Rs. 45 lakhs, any balance in excess being credited to a suspense account. The object was to even out the receipts over a series of years and eliminate from the revenue budget the disturbing effects of large returns of coin in any year. We did not then anticipate such large profits as have actually accrued from the unprecedented demand for small coin. On our present reckoning, Rs. 1.77 lakhs of profits have accrued in 1941-42 and we anticipate profits of Rs. 4.63 lakhs in the current year and about Rs. 4.03 lakhs next year. With the large expansion in our minting programme, expenditure has gone up from Rs. 78 lakhs in 1941-42 to Rs. 1.30 lakhs this year and is expected to be Rs. 92 lakhs next year. In these circumstances we have decided to transfer from the suspense account an amount which will provide a net sum of Rs. 45 lakhs a year, over and above the actual mint expenditure.

Honourable Members already know from the Railway Estimates recently submitted to them that the Railway surplus in the current year is expected to be better than the Budget estimates but that the contribution to General Revenues has been maintained at the original budget figure of Rs. 20.13 lakhs.

9. Allowing for an expenditure of about Rs. 60 lakhs in the current year on account of the grant of dearness allowances to certain classes of employees, the working of the Posts and Telegraphs Department is now expected to add to our revenue Rs. 1.35 lakhs more than was taken in the budget. After paying an outright contribution of Rs. 2.00 lakhs to the General Revenues, the Posts and Telegraphs Department will have at the close of the year an accumulated surplus of Rs. 7.72 lakhs out of which a lump sum contribution of Rs. 1.50 lakhs will be made to the Renewals Reserve Fund which needs replenishment in view of the heavy programme of capital expenditure.

Finally, there is an increase of Rs. 15.01 lakhs in the receipts of premia connected with the War Risks Insurance Scheme. This is in addition to the amount of Rs. 3.24 lakhs which we had provided in the budget. For accounting reasons these sums are included both in the revenue and the expenditure estimates as they are for the present being paid into a separate fund.

Expenditure.

10. *Defence Services.*—Turning to the expenditure side of the current year, I deal first with the defence services.

It is hardly necessary for me to recapitulate the sequence of military developments which in the course of this year brought the imminent danger of

[Sir Jeremy Raisman.]

invasion to the eastern frontier of India, while at the same time a more distant menace was looming up from the West as the German armies penetrated into the Caucasus and advanced to within a short distance of Alexandria. Despite the signal failure of a Japanese air attack on Ceylon and the severe damage inflicted by Allied naval and air forces in the Pacific on the Japanese navy and merchant shipping, the position of the Allied cause at the end of July last presented to many observers a picture of almost unrelieved gloom, which in India was rendered even darker by a deplorable outburst of civil disturbances. Under the surface, however, tremendous long range forces working in favour of the Allies were gathering momentum, and dramatically revealed themselves when the Axis forces were hurled out of Egypt and Libya, while the Allied landing further west in North Africa, probably the greatest feat in the history of combined operations, created the vastly different situation in that continent which we see today. On the Russian front our Allies are continuing the magnificent series of brilliant victories which has so completely dispelled the myth of German invincibility. Meanwhile in the Eastern theatre the Japanese have recently suffered serious reverses in New Guinea and the Solomons, while an advance into Burma has been made by the forces of the Indian command.

11. At the beginning of 1942-43 it had become clear that further substantial increases in all three arms of the defence services—particularly the Air arm—beyond those envisaged in the expansion measures which I mentioned in my last budget speech, were called for to protect India against the fresh dangers to which the course of the war had exposed her. Impending movements of forces from India overseas were therefore cancelled and additional forces had to be brought into the country to meet the imminent threats of attacks by sea and air on her shipping and ports, and of invasion by land.

On the army side the processes of raising, training and equipping new units and formations in India were intensified. Recruiting activities were extended and by the middle of the year we were raising recruits at the rate of about 70,000 per month, many being drawn from Madras and other new recruiting grounds. Meanwhile training establishments increased and multiplied, and special attention has been devoted to the instruction and training of officers and men required for the Indian Armoured Corps, Signals, and M. T. units. I have referred elsewhere to the scheme for a vast extension of India's internal telephone and telegraph systems. The further improvement of the country's communication systems has been dictated largely by the vital needs of the defence services and a large proportion of the capital cost involved will be charged to the defence estimates. It is anticipated however that some of the equipment and stores required for this scheme will be obtained from the U. S. A. on Lease-Lend terms.

12. For the equipment of the additional troops, India is obtaining her full share of the greatly increased production of the United Nations and the position in this respect has improved though shipping and inland transportation difficulties naturally tend to hold up supplies and delay distribution. The provision of accommodation for housing the additional troops and for the storage of the equipment, stores and workshops required for the great expansion of the army in India, presented a most formidable problem to the engineering authorities in this country and has thrown a very severe strain on the country's resources in building materials and labour. The withdrawal of the Allied forces from Burma into India at the beginning of the year, involving as it did the tremendous task of opening up communications by the land route between the two countries, had already made heavy demands on those resources which throughout the year were further taxed to the utmost by the massive requirements of the Air Forces. To meet these demands, which were far beyond the capacity of the Military Engineering Services, the assistance of the Central and Provincial Public Works Departments, and in some cases of the Works Services

of Indian States, was enlisted and in addition Civil Pioneer Battalions were raised to provide disciplined-labour. In Eastern India large numbers of labourers engaged by the Tea Association and Indian States have been employed on defence works of various kinds.

As a result of these combined efforts, the land forces in India during the year 1943-44 will have reached a stage at which they can be regarded as reasonably adequate to meet all the demands likely to be made upon them for the defence of India. I shall not attempt to prophesy what may happen during that year but in the light of recent events we may hope that the role of some at least of these troops, which has hitherto been that of defence against threats of invasion, will be exchanged for offensive action alongside the other Allied powers.

13. During the course of the past year it became necessary to review the adequacy of the pay of the Indian soldier. Although he is paid, clothed and housed at the expense of the State and thereby largely protected from the effects of the rise in prices, he has to make an allotment from his pay for the support of his family who are not so protected. To afford him relief, an increase in the basic pay, proficiency pay and messing allowance of all Indian other ranks and all non-combatants was sanctioned in October last, the details of which have recently been given to the House. It was felt however that in the present conditions it was less important to increase the amount of money at the soldier's immediate disposal than to improve his position at the time of demobilisation when his need would probably be the greatest. The deferred pay of all ranks was accordingly also increased, to be accumulated in the soldier's account but not to be payable until his demobilisation. The Government at the same time decided to set aside annually, sums equivalent to this increase in deferred pay, the amounts being paid into a fund to be used for financing post-war schemes designed to promote the welfare of demobilised soldiers and followers.

14. Turning now to the navy, the year witnessed considerable progress with the expansion programme of the Royal Indian Navy and a very substantial number of war vessels completed since the outbreak of war are now in commission. An increasing number of these vessels is engaged in the protection of convoys and Honourable Members will not need to be reminded of the recent heroic exploits of one of these ships which resulted in the destruction of a very much larger and better armed enemy vessel. In addition to new construction undertaken specifically for the Royal Indian Navy a number of motorcraft constructed in India on Admiralty account have now been handed over to the Royal Indian Navy, and will form a valuable addition to our port defence flotillas. The strength of officers and ratings has increased by approximately 50 per cent. during the past year. Much progress has also been made in the improvement of facilities at the various naval bases and several new bases are being constructed. A Torpedo School has been opened for the training of officers and ratings in the use of this weapon. The existing Signal School has been expanded and a new and larger Anti-Submarine School constructed. A School now exists too for the training of officers and ratings in the handling of Landing Assault Craft.

15. But it is the development of the Air Forces in India during the year under review that presents the most impressive picture, by reason not only of its magnitude but also of its immense importance and proved value as a factor in India's defence system. For obvious reasons I cannot give the House anything beyond a very rough indication of what has been achieved in this direction but the respect with which our air defences today are treated by the Japanese Air Forces and the failure of their airmen to inflict any appreciable damage on targets in India may be allowed to speak for themselves.

A year ago our programme of expansion of the Air Forces in India comprised first the building up as rapidly as possible of an Indian Air Force, and secondly the provisions of air fields and other facilities necessary for the operation and maintenance of an air force such as in certain circumstances it might be necessary to employ in India to protect her against external aggression. It had from

[Sir Jeremy Raisman.]

the first been realised that should war on any considerable scale come to India's actual frontiers our air forces would have to be supplemented by reinforcing Royal Air Force squadrons until such time as the expansion of the Indian Air Force would enable India to be self-supporting in this arm of the service.

The review undertaken at the beginning of the year in the light of the situation then existing and of experience gained in other theatres of war showed, first that a very much larger number of reinforcing squadrons would be required than had previously been envisaged, and secondly that ground and other facilities on a vast scale were imperatively necessary to give the air forces in India the mobility and flexibility to meet attacks from any likely quarter. Accordingly a comprehensive programme of aerodrome construction was drawn up, the carrying out of which as a matter of the highest possible urgency has absorbed a large proportion of the country's resources of labour and materials during the year. To give some idea of the effort involved I may mention that nearly one million men were employed often by day and night for several months on the task.

Meanwhile a steady stream of aircraft, with their connected equipment and stores, and of trained personnel to operate and maintain them has been pouring into India, where squadrons of various types equipped with the most modern aircraft are rapidly being formed and allotted roles in the defence plan. At the same time the work of raising and training personnel for the expansion of the Indian Air Force is being vigorously pursued with satisfactory results and it is anticipated that early in 1943-44 this force will consist of seven squadrons. A number have already been re-equipped with aircraft of the latest types and are being trained in their use so as to be ready for active operations. This development of the Indian Air Force involves the training of a large number of Indians in various crafts and trades and is thus bringing into being a body of highly skilled artisans, whose existence, apart from their value in the present emergency, is likely to be of great permanent advantage to the country as a whole.

An up-to-date warning system based on the experience gained in Britain has been established in India and has already demonstrated its effectiveness. The anti-aircraft defences of the country have also been enormously strengthened and improved.

A rapidly expanding air force makes heavy demands for repair and maintenance facilities and to assist in meeting these demands it has been necessary to curtail very greatly the construction programme of the Hindustan Aircraft Company and to concentrate its activities on servicing, repair and overhaul. The Company will specialise in American types and its facilities are being utilised to a growing extent by the United States Army Air Corps. In addition a Civil Repair Organisation is being built up to supplement the capacity available in Government workshops and depots for repairing and maintaining aircraft of all kinds. As a result of these intensive efforts the time is rapidly approaching when the air defences of India will be capable of meeting any threats likely to arise and indeed of increasing the damage that they have for some time past been inflicting upon the enemy in Burma and elsewhere; for it must be remembered that in air-warfare the power to carry out deterrent offensives is even more valuable and constitutes a more effective means of defence than passive resistance to air attack.

16. It is now necessary to consider the effect of these activities on our defence expenditure. Security in these disturbed times is only to be purchased at a heavy price, and the House will no doubt be prepared for a bill of unusual magnitude. Before giving the actual figures of expenditure however I must deal at some length with certain major problems that have arisen in connection with the allocation of the cost of some of these measures. For this purpose it will be desirable to recapitulate the arrangements on which the apportionment of India's defence expenditure between British and Indian revenues is based.

The House will recall that the Financial Settlement between His Majesty's Government and the Government of India was negotiated in November 1939. Under it India is to pay:

- (a) her pre-war normal budget for effective charges of Rs. 36·77 crores;
- (b) a sum in adjustment of the normal budget for rises in prices;
- (c) the cost of "Indian War measures", that is, such war measures as can be regarded as purely Indian liabilities by reason of their having been undertaken by India in her own interests;
- (d) a contribution towards the additional costs of her external defence.

India has paid a lump sum of Rs. 1 crore on this account.

His Majesty's Government is to pay for the remainder of all general defence and supply expenditure incurred by India, subject to separate post-war negotiations concerning the liability for surplus war stores in India acquired in the common interest. Non-effective charges were to be dealt with separately.

Expenditure on Supply in its widest sense—the production of guns, ammunition, armoured cars, clothing and warlike stores of every description (some 60,000 items) was so closely related to direct defence expenditure that it also was covered by the Financial Settlement. The arrangement was, broadly speaking, the same: India pays for whatever she takes from Indian production for Indian war measures, and for her share of joint war measures, including storage charges, and His Majesty's Government pays for, and owns, all the remaining stores produced, together with practically all the capital assets created for the purpose of expanding production and storage.

Both parties to the Settlement emphasised the importance of avoiding the meticulous calculations, arguments and adjustments which gave rise to such endless trouble and confusion in the last war.

In actual practice the majority of war measures in India are not, in the nature of things, taken solely in India's interests, nor solely in the interests of His Majesty's Government, but in the joint interests of both. Such measures have conventionally become known as joint war measures. Although joint war measures have been referred to and described in the Appropriation Accounts for the years 1939-40, 1940-41 and 1941-42 and are well known to the Public Accounts Committee of this House, I find that there has been some misunderstanding as to their precise nature and scope.

17. The war machine in India is a very complex organisation and it is not always possible to establish direct connection between a defence measure and a distinct class of war activities. For example, an expansion of General Headquarters may be necessitated by the putting into force of a number of measures, including the formation of an Indian Observer Corps, the raising of railway protection units, the construction of prisoners of war camps, and the despatch of troops overseas. Of these measures the first two are undertaken for Indian purposes and the third and fourth in the interests of His Majesty's Government. Similarly the creation or expansion of a Fighting Vehicles School cannot be related to one class of war activities since those trained in the school may subsequently serve in units employed in a Defence of India role or in units employed overseas. Such an expansion of General Headquarters or of training facilities clearly cannot be classified definitely as an Indian war measure or as a war measure for His Majesty's Government since it serves common purposes. Who then is to pay for measures of this kind under the Settlement? Clearly they must be classified as joint war measure, the Indian share of which becomes an Indian war measure and the balance a war measure for which His Majesty's Government is liable. This is an inevitable consequence of the Settlement and not a departure from, or an addition to, it.

There are also measures whose immediate purposes are joint in character, e.g., the creation of naval bases in India to cater for both India's local naval defence vessels and those of the Royal Navy, and schemes for the expansion of the Army in India. As regards the latter it is obvious that the expansion of her land forces is a matter in which India's interests are directly concerned but in

[Sir Jeremy Raisman.]

so far as the additional forces raised under these expansion schemes may (provided they can be spared by India) be made available for employment overseas in the service of His Majesty's Government, that Government also is interested and has agreed to share the cost of such schemes, which may accordingly be regarded as "joint". But for this agreement India would have had to pay for them entirely herself.

18. In practice the Settlement has worked very well in an atmosphere of mutual cordiality and trust. Its application is closely watched by the Auditor General of India on behalf of both Governments; he scrutinises in detail the allocation of charges between India and His Majesty's Government and reports to the Public Accounts Committee in India the results of his scrutiny. His Report and comments go also to the Comptroller and Auditor General in the United Kingdom, and the Report of the Public Accounts Committee of the Indian Legislature is forwarded to the Public Accounts Committee of Parliament. I mention these facts in order to emphasise that the allocation of war expenditure under the Settlement between India and England is conducted in accordance with settled principles, and is open to audit on behalf of the Indian Legislature and to investigation by the Public Accounts Committee of this House.

The Settlement was concluded at a time when no major expansions in the land, sea and air forces of India or in our Supply activities were in sight. Almost immediately afterwards however the first large measure of expansion of the land forces was embarked on. It began as a measure to raise forces for the defence of India, but shortly afterwards His Majesty's Government began to ask India to supply troops for overseas service in the Middle and Far East. This India agreed to do provided the strategic situation in India permitted, and it therefore came about that, from time to time, while the expansion was in progress, troops originally raised for purposes of India's defence were released for service overseas and had to be replaced in India. These changes in the roles of new units and formations led to constant changes in the allocation of the relevant expenditure, and it soon became obvious that all expansions in the land forces in India must be considered as one joint war measure and that the cost thereof should be divided in the following manner:

(a) That India would pay for the raising, training and equipping from *Indian resources* of all land forces raised in India and for their maintenance as long as they stayed in the country and were available for the local defence of India. When they left for overseas, the cost to India of raising and training them and also of equipping them would be recovered from His Majesty's Government who would assume all further liability for them.

(b) All imported equipment and stores for such expansion measures of the land forces from whatever source (except vehicles, armoured or otherwise, from elsewhere than the United Kingdom) would be provided free by His Majesty's Government.

Apart from its general equity, this method of dividing the cost of this joint war measure had the great advantage also of simplicity and administrative convenience. It involved the minimum of accounting, and ensured that effective financial and administrative initiative and authority for these measures was located in India.

19. The allocation of the cost of expansion of the Royal Indian Navy raised no special problem. It consists mainly of purely Indian war measures relating wholly to India's local naval defence and no difficulty has been experienced in dealing with such naval joint measures as have been put into force in accordance with the principles of the Settlement.

20. The major expansion of the Air Forces in India which I have explained has raised a financial problem of considerable magnitude. It is clear that this expansion, like that of the land forces, is a joint war measure since, although the role of the Air Forces while located in India is to defend India, some of

them might, and almost certainly will, be allotted other roles when the removal of the immediate threats to India's security permits of their release. The problem was to arrive at an equitable and simple method, acceptable to both Governments, of allocating the very heavy expenditure arising out of this joint measure. In many respects the problem resembles that connected with the expansion of India's land forces but there are certain important points of difference. In the case of the air forces the bulk of the expansion must necessarily consist of Royal Air Force squadrons specially brought into India for the purpose, and His Majesty's Government have incurred heavy expenditure on the raising and training of these squadrons. The aircraft and most of the other equipment of an air force have to be imported into India and are exceedingly costly. On the other hand, the expenditure incurred in India on the provision of ground facilities for these forces is, as already mentioned, very large.

21. In addition to this problem connected with Air Force expenditure major questions regarding the incidence of expenditure on two other war activities have arisen. These relate to:

- (a) the increasingly complicated expansion of our Supply Department's activities, and
- (b) the arrival of United States Air Forces in India, and Reciprocal Lease-Lend to them.

To deal first with Supply Department activities. The Roger Mission, the Eastern Group Supply Council and later the American Technical (Grady) Mission had all been examining India's industrial war potential. They had recommended wide expansion in our war industries in multifarious directions. Many of these were being implemented, and new factories and facilities were being established, all at the cost of His Majesty's Government. At the same time India's own share of the off-take from these factories was rapidly increasing and was much larger than originally planned. Again, the establishment and expansion of major industries required the establishment of minor ancillary industries (nuts, bolts, rivets, buttons, silk filatures, and a host of others) which were spreading to almost every corner and workshop of India and the Indian States. This interrelated development was continually growing, and was growing at the capital expense of His Majesty's Government although a large amount of it was to satisfy India's own needs. Further it was being paid for and therefore owned by His Majesty's Government and the right of disposal after the war was vesting in His Majesty's Government. Again a great deal of it would be to the permanent advantage of India. It was becoming evident that, apart from the equities of the matter, it was to the mutual interests of both parties that the allocation of capital expenditure on Supply measures should be reviewed.

To turn now to the second question, namely, Reciprocal Lease-Lend to the United States forces in India. The advent of the United States Air Forces immediately raised the question of who was to pay for the Reciprocal Lease-Lend of such goods and services as India could supply. Reciprocal Lease-Lend involves immediate cash expenditure in India, just as Lease-Lend involves cash expenditure in America by the American Government. It was first necessary to decide whether the expenditure on Reciprocal Lease-Lend fell within the Financial Settlement or not, and if so how it should be allocated in some simple and broadly equitable way.

22. Besides these questions which related to the application of the existing Financial Settlement, and overshadowing them, there arose a much larger issue, namely, whether in the new situation which had developed, the terms of that Settlement were any longer capable of producing an equitable apportionment of defence liabilities. On behalf of His Majesty's Government it was pointed out that whilst on the one hand, large quantities of the most expensive modern equipment were being sent to India for the defence of India without any charge by Britain, on the other hand, the cost of the goods and services supplied by

[Sir Jeremy Raisman.]

India for theatres of war outside India was being charged in full to His Majesty's Government. It was urged that the conception of Indian defence, on which the existing scheme rested, was too narrow in that India's liabilities were restricted to the geographical limits of India and did not extend even to operations in contiguous territory just beyond those borders. Throughout the world there was a growing recognition of the importance of the principle of "Reciprocal Aid" enunciated by President Roosevelt, namely, that each of the United Nations should contribute all it can from its own resources and in proportion to its capacity to the common war effort. It was strongly contended by His Majesty's Government that the continued operation of the Financial Settlement between India and the United Kingdom would lead to an inequitable distribution of the costs of the joint efforts to defend India and the countries with which the defence of India was intimately bound up, against the aggression of the Axis powers. It was therefore proposed on behalf of His Majesty's Government that the existing Settlement should be abandoned and that in the new arrangement it should at least be stipulated that the value of equipment supplied by His Majesty's Government for the defence of India should be set against the cost of goods and services supplied by India for use in operations outside India.

23. These problems were of such importance, and involved such major financial issues, that it was deemed advisable that I should proceed to the United Kingdom to discuss them. The discussions on the major question of a revision of the Financial Settlement were prolonged and occupied the greater part of the duration of my stay in England. On behalf of India it was pointed out that, owing to the developments in the situation since the entry of Japan into the war, the cost of the measures necessary for the defence of India and for which India is liable under the existing Settlement, was so great as to impose a very heavy strain on India's limited financial resources. Whilst it was true that the existing Settlement had in the first two years of the war operated in such a way as to shelter India from the major financial consequences of war, that was no longer the case at the present time. It was therefore strenuously contended that the existing Financial Settlement should not be abandoned and that any outstanding questions should be adjusted with strict reference to the principles of that Settlement. I need not traverse in detail all the arguments that were adduced in support of our case but I am happy to be in a position to say that the Government of India have now been informed that His Majesty's Government do not intend to pursue the proposal to modify the character of the present Financial Settlement. The Settlement therefore stands, and I have no doubt that this important decision will give as great satisfaction to the House as it has done to the Government of India.

24. In the matter of an equitable allocation of the costs of expanding the Air Forces in India, it has not yet been possible to arrive at a definite decision. It is accepted that India's liability shall be related only to the amount of the expenditure actually brought to account by India, namely, the capital outlay incurred in India on the provision of air fields and other ground and operational facilities, and the recurring costs of the squadrons and connected services while employed in India. It is, however, considered essential in India's interests to arrive at an understanding regarding the maximum forces which should be considered as strictly necessary for the defence of India. As I have previously indicated, our maximum requirements in terms of Land forces will probably be reached during the coming year, and the estimates have been framed on this basis. In the case of the Air forces, a limitation of this nature is more difficult to formulate. Pending the determination of this issue an arbitrary amount equivalent to half of the total estimated capital and recurring costs in question has been provisionally included in the revised and budget estimates, and the balance taken for the time being to a Suspense account.

25. As far as the Supply Department activities are concerned, it was suggested that a solution of the problem satisfactory to both parties might be found in the practice to which Government frequently resorts in negotiating with a private industrialist an expansion of his plant for war production. He is frequently not prepared to find the finance himself, either because he cannot, or because the expansion may have a doubtful post-war commercial value. India's war-time industrial expansion *as a whole* is very similarly circumstanced. Some of the expansions may not have any post-war commercial value, but others will have. It is accordingly proposed that India should provide one half the capital (as is usual in dealing with private industrialists) and should then own all the assets, already created or to be created. This arrangement would not extend to the Chatfield factories which are already owned by India, although established at the expense of His Majesty's Government. India would thus acquire the ownership of industrial assets located in her territory, and this arrangement would avoid long post-war arguments as to the disposal of property owned by His Majesty's Government.

26. The question of Reciprocal Aid to the United States Forces in India in relation to the Financial Settlement between His Majesty's Government and India has proved extremely difficult. The Mutual Aid Agreement of February 1942 between His Majesty's Government and the United States of America does not cover either the Dominions or India. That agreement provides for Reciprocal Lease-Lend as an obligation arising from the benefits of Lease-Lend. Some of the Dominions have already executed separate Agreements direct with the United States of America adopting in terms the Mutual Aid Agreement between the United Kingdom and the United States of America and thus accepting the liability for Reciprocal Aid to the United States of America. In the absence of any such separate agreement between India and the United States of America the true character and significance of India's participation in the benefits of Lease-Lend goods and services and the nature of the consideration which should be given in return, are very difficult to determine. One view would be that the Lease-Lend goods which India receives have really been Lease-lent by the United States of America to His Majesty's Government who might pass them on to India on such conditions as were mutually agreed upon. Suitable conditions would obviously be extremely difficult to devise and impose. His Majesty's Government could not pass such goods to India unconditionally because of the obligations it has assumed in respect of them. The nature and extent of the consideration for them which India would have to give to His Majesty's Government would again raise a problem that it would be exceedingly difficult to solve. It would almost certainly be expected that India would afford reciprocal Lease-Lend to the United States Forces within her territories as one element in this consideration. Again the ownership of the cash receipts which accrue from the sales of Lease-Lend goods in India to the public or to quasi-public bodies would need determination. In short, in the absence of a direct Mutual Aid Agreement between India and the United States of America the problem of Reciprocal Aid to the United States Forces in India bristles with difficulties. The possibility of entering into a direct Mutual Aid Agreement with the United States of America is at present being considered, and I can say no more at present. In the meantime Reciprocal Lease-Lend to the United States Forces in India has been shown in the Defence Estimates as a charge to Indian revenues. At the same time credit has been taken in the same estimates for all receipts expected to be realised from the sale of Lease-Lend supplies to the public, Provincial Governments, Railways and Government Departments, run on commercial or quasi-commercial lines. This decision involves a modification of the procedure announced in my last budget speech under which the value of Lease-Lend stores utilised for Indian purposes, whether civil or military, was to be charged to the budgets concerned and the corresponding credits taken to a suspense head of account.

[Sir Jeremy Raisman.]

Although it has been necessary for budget purposes to make an estimation of the cost of Reciprocal Aid likely to be rendered to the United States Forces in India during 1942-43 and 1943-44, I must warn the House that owing to various unpredictable factors and accounting difficulties the accurate assessment of this cost is impossible—at any rate, at this juncture. Any figures given therefore must be taken with the greatest reserve as being little more than rough guesses. A similar caveat applies to an even greater extent to any estimates of the value of Lease-Lend supplies to India. The uncertainties of shipping alone render it impossible to say what Lease-Lend goods will reach India in any given time. Subject to this reservation the total expenditure on providing Reciprocal Aid to the United States Forces in India during 1942-43 and 1943-44 has been taken in these estimates at Rs. 16,70 lakhs and Rs. 8,04 lakhs, respectively. The disparity between the two amounts is due to the fact that the bulk of the capital costs of providing aerodromes in India for the United States Air Forces is included in the amount for 1942-43. On the other hand the estimated value of Lease-Lend supplies already received in India and utilised for her own purposes exceeds the aggregate provision made for reciprocal aid during the current year and the next.

27. It has also been decided to liquidate as soon as convenient our Chatfield debt of one quarter of £34 millions. It will be recalled that this was the estimated pre-war capital cost of modernising the Army in India, three-fourths of which was to be provided by His Majesty's Government as a free gift to India while the balance of one-fourth was to be India's liability, to be discharged on easy terms. Early liquidation of this liability, which will in any case have to be discharged sooner or later, amounts in effect to the repatriation of another small block of India's sterling debt.

28. It remains for me to mention one other special feature of the defence portion of the estimates now presented before I come to the actual figures. An analysis of the expenditure covered by those estimates brings out the fact that it contains many elements of a capital nature against which tangible and valuable assets are held. The principal items falling into this category are (1) the capital outlay on providing air fields and other ground facilities for the Air Forces, (2) India's share of the capital cost of industrial expansion measures, (3) the capital outlay on air fields, etc., provided under the Reciprocal Aid arrangements for the United States of America Forces in India, (4) the cost of constructing new capital ships for the Royal Indian Navy and (5) the defence share of the capital outlay on the scheme for the extension of telegraph and telephone communications in India. It would be quite in accordance with the general practice of Government to charge such expenditure to a capital head, although this course has not in the past been followed in the case of defence expenditure. It has therefore been decided that the revised and budget estimates for the defence services will consist of a revenue portion and a capital portion, and as the capital expenditure in the current financial year is likely to be very much heavier than that incurred in 1943-44 this arrangement has the advantage of avoiding a serious disparity that might otherwise be shown between the revised and budget estimates of the defence expenditure chargeable to revenue.

29. The revised estimates of defence expenditure for the year 1942-43 amount to Rs. 1,89,75 lakhs and Rs. 49.14 lakhs under the revenue and capital heads respectively. The details are as follows:

<i>Revenue portion.</i>		In lakhs of Rs.
(1) Basic Normal Budget	.	36.77
(2) Effect of rise in prices	.	8.61
(3) India's War Measures	.	1,35.96
(4) Non-effective charges	.	8.41
Total		1,89.75

Capital portion.

	In lakhs of Rs.
(1) Air Force—aerodromes	18,37
(2) Capital outlay on industrial expansion	12,00
(3) Reciprocal Aid—aerodromes	12,75
(4) New construction for the R. I. N.	4,72
(5) Capital outlay on Tele-communication scheme	1,30
Total	49,14

In the revenue portion the increase of Rs. 2,09 lakhs in item (2) over the corresponding budget figure represents the estimated effect on the cost of India's normal peace garrison of the increases in pay and allowances of British and Indian troops and of dearness allowances for other low paid Government servants, sanctioned during the year. The increase of Rs. 54,66 lakhs in item (3) is due mainly to the increase in the strength of forces in India, increases in pay and allowances of defence personnel, the grant of field service concessions to troops in India, and the provision of additional port and coast defence measures. Allowance has been made for receipts amounting to Rs. 7,50 lakhs on account of Lease-Lend supplies utilised by the public, Provincial Governments, Railways and the Posts and Telegraphs Department.

The estimate of non-effective charges remains unchanged pending conclusion of a settlement with His Majesty's Government regarding the allocation of such charges arising out of the war. The discussion of the terms of this settlement is now approaching finality.

The nature of the items provided for in the Capital portion of the defence estimates has already been described.

30. *Civil Estimates*.—Civil expenditure in the current year has increased by Rs. 29½ crores over the budget estimate. This sum, as I have already indicated, includes the premia accruing from the War Risks Insurance Scheme totalling Rs. 18½ crores or Rs. 15.01 crores in excess of the budget provision. The actual increase is therefore Rs. 14½ crores and is attributable in the main to causes connected with the war and the conditions created by it, and in a lesser degree, to measures taken to meet the internal situation reflected in the disturbances which commenced in August last. I shall allude briefly to a few of the main items.

31 The approach of the enemy to the North-Eastern frontier of India greatly increased our vulnerability to attack from the air and rendered it imperative to speed up and augment our Civil Defence preparations. Precautionary measures were taken in 346 localities and the strength of the A. R. P. Services reached the figure of about 350,000. Five new A. R. P. Schools were opened to train personnel and 2,000 officers and instructors have already passed out from them. A Civil Pioneer Force has also been enrolled. While Civil Defence is primarily a matter for Provincial Governments, the Central Government has undertaken to bear a proportion of the expenditure incurred by them and we now expect our liability in the current year on this account to be Rs. 6.23 lakhs which is over 50 per cent. of the total Provincial expenditure on A. R. P. Services. The Government of India also maintain a number of Central organisations and services which together with A. R. P. measures carried out in Centrally Administered Areas will cost about Rs. 75 lakhs. In the light of the present favourable developments in the military situation, we are now making a review of our activities in this sphere but the effect of any conclusions arrived at will be reflected mainly in the expenditure of next year.

32. Pre-eminent among the problems arising from conditions created by the war is that of dearness allowance. We fully realise that, in increasing purchasing power by enhancing dearness allowance, we are not finding a permanent remedy for the problem of dearness but are exposing ourselves to the risk of inflation. This consideration affords an added incentive to our efforts in dealing with the major question of food supply, as the success of these will furnish the best safeguard against a further rise in the cost of living and consequential demands for more dearness allowance. We have estimated that the cost of

[Sir Jeremy Raisman.]

allowances on the present scale for a full year will approximate to Rs. 1,70 lakhs for the civil administration excluding Posts and Telegraphs, Railways and Defence Services.

33. At this point I may also allude to measures we have taken to afford relief to large numbers of persons evacuated from Burma in the face of the Japanese invasion. Some 400,000 persons left that country by the land routes leading into Bengal and Assam and approximately 84,000 were evacuated by sea and air. Special organisations have had to be set up on an adequate scale to deal with these. In Assam we provided over 30 camps with medical and sanitary staffs for their reception. It has also been necessary to make advances of money to afford to those at present destitute an opportunity of rehabilitating themselves in their new environment. All these measures have cost us about Rs. 1,00 lakhs.

Apart from the war and the abnormal conditions it has created in civil life, we were confronted also with the widespread internal disturbances which commenced in August last. Here we had to come to the assistance of the Provinces already heavily burdened with Civil Defence expenditure by meeting in part the cost of expanding their police forces. On this alone we estimate to spend approximately a crore of rupees. This figure of course takes no cognisance of the great loss we have suffered in the damage to our property, particularly on Railways and in the Posts and Telegraphs Department.

34. The Supply Department has continued to expand. The only substantial changes in its organisation during the year 1942-43 have been the establishment of a new Directorate-General of Shipbuilding and Repairs and the transfer to the new Food Department of the responsibility for the procurement of foodstuffs for Defence Services. Two other important changes to which effect will be shortly given are the creation within the Directorate-General of Munitions Production of a division to handle the repair and maintenance of Service aircraft and the production of aeronautical stores on an all-India footing.

The volume of the orders with which the Supply Department has dealt may be judged from the fact that from the outbreak of war to the 31st of December 1942, the value of contracts placed by its Purchase Branch amounted to Rs. 454.5 crores. For the first nine months of 1942-43, Rs. 163.1 crores worth of orders were placed, giving a current monthly average of over Rs. 18 crores.

There are signs, however, that the curve of production is flattening and that for certain items—particularly clothing and personal equipment which have been in large scale production for a long time—there may be a falling off.

35. I have now reached the end of my general review of the current year and it only remains for me to summarise the final position.

Our revised estimates for revenue show an improvement of Rs. 26,76 lakhs, while there is a net increase of Rs. 86,35 lakhs under expenditure charged to revenue. Thus we expect to end the year with a revenue deficit of Rs. 94,66 lakhs.

FINANCIAL YEAR 1943-44.

Revenue.

36. I now come to the financial year 1943-44. Our total revenue estimates amount to Rs. 199,30 lakhs as compared with Rs. 178,76 lakhs in the revised estimates of the current year. Under Customs revenue we are providing for Rs. 30 crores against Rs. 31 crores in the current year. The position in this respect is now governed mainly by the amount of shipping space available for private merchandise which, as the war develops, tends constantly to shrink. In taking a figure of Rs. 30 crores for 1943-44 we are, therefore, probably being optimistic. Under Central Excise Duties we expect an increase of Rs. 84 lakhs, solely on account of sugar. The output of this commodity during the past year has been restricted by difficulties which, in the year before us, we trust will be removed.

As regards Corporation tax and other taxes on income, including Excess Profits Tax, we have, after taking into account the trend of our recent collections and making allowance for the assessments yet to be made, raised our estimate of the total yield from these taxes by Rs. 17 crores. Of a total of Rs. 95 crores estimated under these two heads of revenue, Excess Profits Tax alone is expected to yield Rs. 40 crores. The divisible pool of Income-tax has been taken as Rs. 33.19 crores and the share available to Provinces will be even better than in the current year, touching the record figure of Rs. 12.10 crores. Under Salt, we are allowing only a modest increase of Rs. 50 lakhs over the current year's budget estimates. In view of the improved demand for opium and morphine for medical purposes both in India and abroad, we are placing our estimates of opium revenue at Rs. 1.08 lakhs.

As a result of the financial arrangement with His Majesty's Government in regard to the Railway Annuities, we will receive next year about Rs. 87 lakhs, representing the interest portion of the credit to be made available by His Majesty's Government and this is reflected in the improved receipts under Interest. Our Currency and Mint receipts for next year are placed at a higher level than in the current year's budget for the reasons I have already stated in dealing with the revised estimates for the current year.

37. We are allowing Rs. 27.10 lakhs as the contribution from Railways to General Revenues, in pursuance of the revised arrangements placed before the House recently.

For next year the revenue of the Posts and Telegraphs Department is expected to be Rs. 20.73 lakhs and expenditure Rs. 13.57 lakhs. The larger revenue is mainly due to the general increase in traffic and the taking over by Government of the systems belonging to Telephone companies at Bombay, Calcutta and Madras whose licences expire in 1943. The whole of the surplus of Rs. 7.16 lakhs in 1943-44 is being treated as an outright contribution to General Revenues.

Expenditure.

38. *Defence Services.*—The budget estimates of defence expenditure for 1943-44 amount to Rs. 1,82.81 lakhs and Rs. 16.85 lakhs under the revenue and capital heads respectively. The details are as follows:

Revenue portion.

	Lakhs of Rs.
(1) Basic normal budget	36.77
(2) Effect of rise in prices	10.62
(3) India's war measures	1,27.01
(4) Non-effective charges	8.41
Total	1,82.81

Capital portion.

(1) Air Force—aerodromes	2.52
(2) Capital outlay on industrial expansion	4.00
(3) Reciprocal Aid—aerodromes	2.85
(4) New construction for the R. I. N.	3.28
(5) Capital outlay on Tele-communication scheme	4.20
Total	16.85

In the revenue portion the increase over the revised estimates in item (2) is based on the anticipated general level of prices during 1943-44 and allows for the effect for a full year of increases in pay and allowances sanctioned for British and Indian troops during the course of the year 1942-43. In regard to item (3), the decrease of Rs. 9 crores as compared with the revised estimates is the net result of large increases and decreases. The increases in the main are due to the operation throughout the year of improvements in pay and allowances of defence personnel, and of the grant of field service concessions to troops serving in India, and to the higher average strength of the defence forces in

[Sir Jeremy Raisman.]

India. The increases have been more than counter-balanced by a lump deduction made to allow for possible movements of troops out of India and for a heavier receipt (Rs. 15,00 lakhs) on account of Lease-Lend supplies utilised by the public, Provincial Governments, Railways and the Posts and Telegraphs Department.

It will be noticed that for the first time since the war began our estimates envisage a decrease in the defence budget as compared with the revised so far as expenditure charged to revenue is concerned, and, although it would be unsafe to conclude from this that India has now reached the peak of her own war expenditure, it is legitimate to hope that the stage of heavy additions is past.

The large decrease in the provision under the capital section of the budget estimates as compared with the revised reflects the completion during 1942-43 of the bulk of the programme of aerodrome construction for the Air Forces in India as well as for the United States Army Air Corps.

Civil Estimates.

39. Our civil expenditure shows a reduction of about Rs. 7 crores as compared with the revised estimates of the current year. Of this a little more than Rs. 4½ crores is accounted for by smaller receipts from the Factories War Risk Insurance Scheme which figure as expenditure on transfer to the relevant fund. Five out of the eight instalments of the premia relating to the Scheme will have been realised by the close of the current financial year, leaving only three instalments to be collected next year. A reduction of Rs. 2½ crores in respect of Civil Defence expenditure is also anticipated as a result of the general improvement in the war situation and the less imminent threat of enemy attacks. We hope, indeed, that the provision now made on this account will be still further reduced as the result of provisional conclusions reached at a recent conference on future Civil Defence policy. On the other hand, we are providing for an increase of Rs. 1,30 lakhs over the revised estimates for the current year under Interest. This requires a little explanation. Though as a result of the repayment of the non-terminable sterling loans and Railway Debentures there will be a saving of Rs. 3.78 lakhs, interest on the loans we have floated in India in 1942-43 and which we expect to float in 1943-44 will cost us in all Rs. 3.50 lakhs. Other factors which have affected our interest charges are the diminution in the interest payments from certain Provincial Governments resulting from the repayment of a capital portion of their consolidated debt, the growing Railway Depreciation Fund, and the accretions to our floating debt occasioned by revenue deficits and capital expenditure.

40. The food crisis that developed during the course of the year has rendered it necessary for Government to create a separate Food Department. We are trying to induce the producer, by propaganda and other means, to market his produce freely, and control measures are also being taken to suppress hoarding and to ensure a free flow of commodities. Under the scheme, the surpluses of certain Provinces will be bought for the purpose of equalising the deficits of other Provinces. Special steps are being taken to see that the grain obtained by the Government agencies reaches the individual consumer at a reasonable price. Any estimate of the financial outlay involved must, at this stage, be conjectural but we estimate that the total purchases during 1943-44 will amount to approximately Rs. 75 crores. This will be met by the Central Government in the first instance and recovered later from the Provincial Governments on whose behalf purchases are made.

The Government of India are determined to spare no effort to increase the production of essential food commodities and are anxious that at this stage no scheme which affords promise of making an early and substantial contribution to this end should be excluded from consideration on purely financial grounds. Pending a decision on the specific measures to be taken, we have provided in

the budget a round sum of Rs. 50 lakhs, but we would not limit our expenditure to that figure if further outlay were to offer a greatly enhanced prospect of achieving our object.

41. I can now summarise the position for the coming year. The expenditure detailed in the Civil estimates comes to Rs. 76,78 lakhs, and the provision for Defence Services has been placed at Rs. 182,81 lakhs. Our total expenditure estimates thus amount to Rs. 259,59 lakhs. The total revenue at the existing levels of taxation is estimated at Rs. 199,80 lakhs. We are thus left with a prospective revenue deficit of Rs. 60,29 lakhs.

WAYS AND MEANS.

42. I shall now proceed to outline the broad features of our ways and means position, which with the intensification of the multifarious demands made by the war, has now become a formidable pre-occupation for Government.

The subscriptions to the Defence Loans during the period beginning from the 1st February 1942 and ending with 31st January 1943 amounted to Rs. 34½ crores, raising the total proceeds to Rs. 145 crores since the Defence Loans were first issued in June 1940. The Second Defence Loan which was closed on the 14th February 1942 was followed in July 1942 by the Third Defence Loan, which is a re-issue of the 3 per cent. 1951-54. In October 1942 there was also a special re-issue of the 3 per cent. 1963-65 in connection with the funding of our liabilities in respect of railway annuities, the amount offered and taken up being Rs. 15 crores. While the sales of Defence Savings Certificates and investment in the interest-free Defence Bonds have continued it would appear that the effect of the initial momentum is being lost and a far more vivid realisation of the importance to the ordinary citizen of utilising these channels of investment for the common good as well as for the furtherance of the country's war effort is called for. At the same time it should be remembered that in addition to the subscriptions to the Defence Loans there is a steady investment of new money in Government loans through the machinery created and developed in connection with the repatriation of our sterling debt. Opportunities are available to the public for investing in a variety of Government loans consisting of counterparts of the repatriated stocks or the re-issue of existing rupee loans into which some of these were converted, and these opportunities are being utilised especially by institutional investors. The total public investment made through this channel amounted to Rs. 56 crores over the 12 months. Lastly, about Rs. 8 crores of new money was subscribed during this period to certain provincial loans floated to enable the provinces to make advance repayments of a part of the consolidated debts due to the Centre. Together with the subscriptions to the Defence Loans, these investments aggregate to Rs. 93 crores over the 12 months and to Rs. 207½ crores since the beginning of the war. The latest trends are however much more encouraging than those figures would suggest. Our total receipts of loan money during the second half of 1942 amounted to over Rs. 73 crores, and in January 1943 to 11 crores. At the same time the net increase in our short term borrowings from the public by the sale of treasury bills during these seven months was Rs. 48 crores. Total borrowings thus averaged nearly Rs. 19 crores a month during that period.

43. While the aggregate support to public loans compares very favourably with the normal scale of public borrowing in India, as I observed last year, the call for a greatly increased transfer of purchasing power from the hands of the public to the Exchequer through the medium of loans has lost none of its cogency and has indeed been strikingly reinforced by subsequent developments. Apart from the greatly increased war expenditure in India, both on our account and that of His Majesty's and other allied Governments, for whom we have to find the rupee finance, the general economic situation resulting from war conditions makes it imperative for every citizen to defer private expenditure to the utmost of his capacity in the common interest, and to transfer the investible surplus to Government in the form of loans. It may well be said

[Sir Jeremy Raisman.]

that in the context of a war economy a public loan is "Twice blessed; It blesseth him that gives and him that takes". To the State it spells an indispensable aid to victory while to the investor it means not only a precaution against the perils and uncertainties of the transition from war to peace after victory has been gained, but also a potent preventive against the economic and social disorder which may arise from the uncontrolled exercise of purchasing power in relation to limited or diminishing stocks of consumable goods.

Even apart from these public reasons, and looking at the matter from the narrow individual point of view, investment in Government securities offers advantages provided by few other forms of investment in war time. With the vastly improved technique which has now been developed here as in England for controlling the securities market, risks of capital depreciation have been minimised to an extent which must cause astonishment to those who can remember the position in this respect during the last war. The fixation of minimum prices together with the organisation for maintaining them with the Central Bank's open market operations may be said to have placed security values beyond the range of the major fluctuations which the changing fortunes of war used to create in this market. Moreover, the war itself has taken a turn which reinforces and justifies the faith in ultimate victory that has always inspired the United Nations.

44. The expansion of the volume of recoverable war expenditure and purchases on behalf of His Majesty's Government and Allied Governments have continued throughout the year, although the net refunds by the Secretary of State which were estimated to be £164 million in all will fall somewhat short of the forecast, owing to the funding of Railway annuities and the acquisition of Railway Debenture Stocks. This should leave some £100 million of fresh accretions with the Reserve Bank, in addition to its own purchases from banks and on trade and other accounts.

45. The House is now familiar with the main features of our scheme of repatriating the sterling debt and I need not traverse again the ground covered in the last two budget speeches. The bulk of the payment in respect of the 2½ per cent. and 3 per cent. undated sterling loans which I mentioned last year, was effected in March last, the necessary sterling amounting to £60 million being provided with ease by the Reserve Bank. No counterparts were created this time, as for the first tranche of the repatriation programme, and the entire rupee finance was raised in the first instance by means of *ad hoc* treasury bills issued in favour of the Reserve Bank. Subsequent stray lots of the vested stocks as well as the market purchases of the 3½ per cent. stock were financed from our balances, but for the last and final stage of redeeming £58½ million of the 3½ per cent. stock the rupee finance was again in the form of *ad hoc* treasury bills.

That some £300 million of sterling debt should have been repatriated since the outbreak of war, with so little disturbance to the money market is a consummation for which the country may well feel gratified. The balance of sterling stock which fell beyond the scope of the vesting orders and which has not been surrendered in exercise of the option given to holders or which has not yet been redeemed owing to non-presentation of claims is only about £13 million. I know the House will join with me in acknowledging the assistance rendered in this momentous series of transactions by His Majesty's Government and in appreciating the co-operation of the Bank of England and the Reserve Bank in putting them through with smoothness and efficiency.

And here I must on behalf of the Government of India and myself pay a tribute to the immense personal services rendered by the late Sir James Taylor, whose sudden and untimely death a few days ago has been a bitter blow to all who have worked with him in the sphere of Indian finance, and whose sound judgment, ripe experience and loyal counsel could so ill be spared in these difficult times.

46. We have taken advantage of the large sterling balances still available after the repatriation of the sterling loans to fund our outside obligations in respect of Railway annuities by arrangement with His Majesty's Government and, with their co-operation once again, to repatriate Railway Stocks. In the former case we have funded a rather complicated series of Railway annuities by the payment of a lump sum of £30 million to His Majesty's Government, who have undertaken to provide the annual sums required for payment to the annuitants until their termination, the flat rate of interest taken as a fair basis for the arrangement on actuarial calculations being $2\frac{1}{2}$ per cent.

The vesting of Railway Debenture Stocks of the face value of £20 million has already been announced and notice has also been given of the redemption on the 4th February 1944 of three $3\frac{1}{2}$ per cent. Debenture Stocks for which the vesting procedure would have been inappropriate as in the case of the $3\frac{1}{2}$ per cent. undated sterling stock. The payment for the vested debentures will be made during the course of the current financial year. The rate at which sterling is accumulating with the Reserve Bank has not only enabled it to provide us with the sterling needed for our repatriation and other transactions, but left a surplus well above its reasonable reserve requirements.

47. And thus India has completed the transition from a debtor to a creditor country and extinguished within the brief space of about three years accumulations over decades of its public indebtedness to the United Kingdom. Apart from the immediate exchange gain of a substantial relief from the necessity of finding sterling annually for the payment of interest charges, a great deal could be said on the implications of this remarkable change in India's status. To deal adequately with that theme and to attempt to prognosticate the role which India is destined to play in the post-war world, would carry me far beyond the limits of a budget speech.

As I observed last year the temporary revenue gain to the budget is of minor consequence, being conditioned by the progress of funding the floating rupee debt raised for financing repatriation. It is difficult to state with precision to what extent the funding of floating debt raised for the purpose of repatriation has been achieved, since borrowing of both temporary and permanent nature is resorted to for other purposes besides repatriation and Government's balances are also increased by the payment which the Reserve Bank makes from time to time for the "Rupee coin" that it takes over. The broad position may be said to be that of some Rs. 400 crores raised so far for financing the various repatriation and funding operations, only Rs. 160 crores may be regarded as being still in the form of Central Bank finance, since that is the amount by which the rupee securities held by the Reserve Bank as cover against its note issue exceed the corresponding figure at the outbreak of the war.

48. The question of the future utilisation of India's sterling balances is one which has attracted intense public interest in recent months and has been the subject of much speculation. It is a question which also naturally engages the continuous attention of the Government. Hitherto action has been concentrated on extinguishing as many as possible of our public sterling liabilities, and this is obviously the primary use to which surplus sterling assets should be put. With the virtual cessation of payments on interest account to external bond-holders, the only substantial liability still remaining on account of which sterling remittance would normally be necessary will be payments on account of sterling pensions, family pensions and provident funds. It is estimated that these charges in the period that lies ahead will be of the order of from £5 to £6 million a year. The Government of India have accordingly had under consideration a scheme for making advance provision for the requisite sterling remittance wherewith to meet future payments in respect of these liabilities on the lines of the arrangement recently made for sterling railway annuities. This would in effect involve the purchase from His Majesty's Government, by the investment of a capital sum at a suitable rate of interest, of the right to

[Sir Jeremy Raisman.]

receive a series of sterling payments estimated to be sufficient to meet the relevant charges over the period during which they are likely to have to be met. These charges, and consequently the sterling remittance required to meet them, would naturally after a certain time gradually decline in amount until they disappeared, and the transaction might thus be described as the purchase of a tapering annuity. It is not contemplated that the rights of any class of Government servants would be affected, or that the liability to pensioners should be transferred from the Government of India. The arrangement would be purely financial, and would amount to the investment of a capital sum in return for which the Government of India would at stated intervals receive stated sums of sterling with which they would be in a position, as far as can be estimated, to meet these sterling obligations. This investment would naturally provide a much more favourable rate of interest than that earned on the present investments in sterling treasury bills.

49. An arrangement of the nature just described would be capable of absorbing a considerable sterling sum, and would indeed be the equivalent of a large scale repatriation. There would however still remain, as far as can be judged from the rate at which sterling is accruing, a substantial surplus above the amount which is likely to be required as a reserve against our currency note circulation. The Government of India are therefore at the same time considering the proposal, which has been made from several quarters, that something in the nature of a Reconstruction Fund should be constituted to provide for the financing of a programme of post-war reconstruction, including the rehabilitation and re-equipment of industry. It is clear that in the post-war period India will have heavy demands for imported machinery and plant to equip her greatly expanded industrial system, to re-equip her railways and to enable Provincial and State Governments to carry out schemes of electrification, irrigation and the like, which have had to remain in abeyance during the war. It may be taken for granted that it will be found necessary even after the end of the war to proceed on some orderly programme for the purchase of these capital goods from the producing countries. In this respect the position may well be found to be not greatly dissimilar from the present situation in regard to the procurement from overseas sources of the plant and equipment necessary for war production. The first essential would probably be a careful and comprehensive survey of India's requirements and the establishment of some order of priority upon which a programme could be drawn up. In so far as this programme depended on the ability of producing countries to release certain types of goods for export, it would clearly involve international co-operation, and in particular the assistance and co-operation of His Majesty's Government. The existence of such a Reconstruction Fund coupled with a concerted programme of requirements would place India in a favourable position to endeavour to secure the early fulfilment of her post-war needs and so enable her to go ahead with post-war reconstruction with the minimum of delay.

50. I turn now to a consideration of the general currency position and the problem that is exercising the minds of all of us. As the all round rise in prices resulting from complex and interacting factors in war conditions tends progressively to lower the standard of living of every one, thoughts naturally turn more and more insistently to the causes of the trouble and possible remedies. Of late there have been a number of non-official communications to Government and pronouncements by economists, both professional and amateur, on this subject, according to which the source of the trouble is the arrangements in force for making rupee disbursements on behalf of His Majesty's Government and Allied Governments, and the currency machinery of the Reserve Bank is regarded as the conduit pipe of inflationary credit. I feel it necessary, therefore, to state certain broad conclusions in order that the problem may be viewed from the right perspective.

51. As in all discussions of this nature, a great deal depends on the point from which the initial approach is made. I would therefore make certain preliminary general observations. First, India's war effort has clearly not yet reached the ceiling of the maximum utilization of available manpower and resources, and public expenditure on supplies, purchases, works, etc., still continues to promote the end in view, which is the defeat of the enemy and the safety of India. Secondly, in a common war effort the usual methods of settling international indebtedness in goods and services are not available and for a variety of reasons it is not possible to give play to the usual checks employed in order to adjust international trade relations, i.e., it is not possible to increase the volume of commercial imports or to adjust the trade balance by an upward movement in the rate of exchange. Thirdly, since disbursements must be made in Indian currency, the question of how war expenditure is allotted is irrelevant so far as the inflation aspect of the problem is concerned, although from the point of view of the final settlement it is, of course, of considerable importance. In other words, other things being equal, as for instance, the conditions governing the extent to which taxation and borrowing are feasible, the size of the sterling balances accumulating in India's favour has no direct bearing on the internal problem. Lastly, on the only assumption on which it is at all possible to deal with the problems of the future, namely, that the war will result in victory for the United Nations, and that both the United Kingdom and the Government of India will therefore be in a position to pursue sound financial policies, there is not the remotest risk of inflation of the nature and on the scale which occurred in some of the countries which suffered utter defeat in the last war. Without wishing to minimise the importance of the twin problem of sterling balances and inflation, I venture to suggest that on the above postulates we need not allow ourselves to take too pessimistic a view of the currency expansion that has taken place so far and that may be expected in the future.

52. So far as the accumulations of sterling are concerned, if regard is had to the identity of purpose of the United Nations, it seems to me that the only reasonable principle on which one could proceed is to ensure that indebtedness is not allowed to increase in one direction while there are set offs of existing indebtedness that can fairly and practically be made in the other direction. It is on this principle that His Majesty's Government and the Government of India have so far concerted measures for repatriating sterling debt and other public obligations of India expressed in sterling, and we shall continue to explore the scope for further action in the same direction. I cannot share the anxiety of those who appear to regard the surplus balances as almost in the nature of useless assets. Apart from their being available as a reserve wherewith to pay for the capital goods which the United Kingdom will be in a position to supply for India's industrial expansion and the replacement of machinery after the strain which will have been put on it during the period of the war, India's balances should enable her to trade as one of the principal commercial countries of the world and play a helpful part in building up a system of international trade such as would ensure a fair market for goods of export.

53. In my opinion some of the fear which is now expressed arises from a failure to distinguish between pure credit inflation and the temporary situation in which an increase in the volume of purchasing power impinges for a time on a stationary or diminishing volume of consumable goods. Here in India I think we can say with a clear conscience that the Government has at no time resorted to credit inflation. The easy expedient of borrowing from the Reserve Bank has not been adopted for making up the revenue deficits of governmental budgets or for augmenting governmental balances for the purpose of meeting disbursements. I have already referred to the *ad hoc* treasury bills through which repatriation has partially been financed, but I should not like the House to go away with the impression that this at any rate is credit

[Sir Jeremy Raisman.]

inflation. That very definitely it is not. At no stage of the repatriation programme has there been any expansion of currency against the *ad hoc* treasury bills created. These treasury bills merely replace the sterling against which currency had already been expanded in the ordinary course in order to meet legitimate demands for the means for making cash payments, and the substitution merely amounts to a readjustment of the assets of the Reserve Bank's Issue Department. The true position surely is that here is a block of investment waiting to be taken up by the nation for which it has been acquired.

54. Owing to the inevitable imperfections of our economic statistics a quantitative determination of the phenomenon of inflation is even more difficult in this country than in the United Kingdom or the United States of America. Without wishing to be dogmatic, however, I should like to draw attention to what appear to me to be the prevalent misconceptions on this subject. The first is that a general rise in prices must mean inflation and that it is caused by avoidable expansion of currency. To my mind this notion is the result of confusing cause and effect and misinterpreting the elementary fact that all the expansion and intensification of Government's war activities involves cash payments to an ever widening circle of recipients in return for labour and raw material or services. The alarms and excursions of war also tend to create varying preferences for settlement of claims in cash among sections of the public over methods customary in peace time and in other countries, *e.g.*, by cheque, thus increasing the *per capita* cash requirements of a huge and expanding population. To stop issuing the currency which the public needs in such circumstances would simply mean a corresponding or even disproportionate curtailment of the whole war effort.

Moreover, not all the Government disbursements on war purposes necessarily or proportionately contribute to a rise in prices, even though Government's war effort curtails the production or import of civilian goods, as it is bound to do to some extent. That purchasing power may not all be employed for the purchase of such goods, and much depends on the rate at which money is being turned over in the process. Hoarded cash, for instance, exerts no pressure on prices. Similarly deposits in banks may have an effect on prices much smaller than their volume would suggest if their rate of turnover is slower than normal. That this is the case is shown by the ratio of average deposits of scheduled banks to banks clearings, which is 6.6 for the first 9 months of the current year against 15.6 in 1938-39. Both these are forms of a liquidity preference which, while it lasts, tempers the rise in prices.

In assessing the significance of a rise in prices it is also necessary to remind ourselves that we did not start from an optimum price-level and that the prices of many essential articles, particularly agricultural commodities, had been by general consent unduly depressed for years prior to the outbreak of hostilities and the problem had been not how to keep them from rising, but how to stimulate them. In any analysis of inflation on the basis of price indices allowance must therefore be made for the taking up of the slack. This is not to say, however, that any of us can afford to evade the problem or to allow what may not be a serious situation today to develop into one for lack of timely and vigilant action. It would be foolish to ignore the crux of the matter, which is that, in the lopsided economic set up of a country at war free purchasing power is a potential source of danger.

55. That being so, I most earnestly deprecate loose talk and wild exaggerations on these matters: for they are the parents of panic buying and hoarding, in their turn benefit only the profiteer and the speculator. There is urgent need for economy in personal expenditure at the present time, because lavish expenditure will raise the level of prices, but also

because of the need for conserving supplies of scarce materials for war purposes. After the war, when war-demands will inevitably have greatly shrunk, if not have vanished entirely and when the question of securing and maintaining the level of employment will have become more urgent, there will be ample justification for increased spending and it will then be a valuable safeguard against falling prices. During the war itself, there is an obvious alternative to private spending—an alternative, moreover, which most powerfully assists the war effort and greatly reduces the risks attaching to the increase in the volume of purchasing power, which, I may add, is characteristic of the situation in every part of the world and not of the Indian position alone. That alternative is investment in loans of the Government of India on the largest possible scale. A free flow of savings into Government loans will not only greatly ease the strain on Government finances, but it reduces competition for the greatly shrunk volume of consumers goods which is all that is now available. At the same time, it does not deprive the public of the opportunity ultimately of enjoying the fruit of present self-denial—in which respect it differs greatly from increased taxation. I am convinced that our sheet-anchor in the present emergency must be more and more borrowing.

NEW PROPOSALS.

56. It remains for me finally to lay before the House the proposals of the Government for dealing with the revenue deficit of Rs. 60.29 crores which, on the estimates I have presented, is anticipated in the forthcoming financial year. We have also, in this context, to bear in mind that the current year will, it is estimated, close with a revenue deficit of Rs. 94.66 crores. By far the larger part of these sums has, of course, to be met by borrowing, but it is proposed to raise Rs. 20 crores, or approximately one-third of the prospective deficit, by new taxation. Last year we introduced into our system of direct taxation certain features which combined the methods of borrowing and taxation. Whilst such experience as we have had justifies the retention of these features, it is not proposed to endeavour to extend their scope further this year. The reasons are not far to seek. The incomes which come within the orbit of our income-tax system are those of a comparatively small fraction of the population, a section in which, moreover, the habit of investment in public loans is generally speaking already well established. It is impossible to deal adequately with the problem of surplus purchasing power by methods which do not touch agricultural income at all and which are inapplicable to that vast body of industrial employees whose incomes fall below any taxable minimum which it is practicable to adopt. It is therefore clear that the national savings movement must cast its net far more widely and must secure the co-operation of large elements in the country who are not affected by direct taxation. Whilst action on these lines thus calls for unremitting attention and a constantly renewed endeavour, it will not affect our immediate proposals.

57. To deal first with income-tax, there will be no change in regard to incomes up to Rs. 5,000. On the next slab of incomes from Rs. 5,000 to Rs. 10,000 the central surcharge will be increased from 9 pies to 10 pies in the rupee, and on the slab from Rs. 10,000 to Rs. 15,000 it will be raised from 14 to 16 pies in the rupee; on the balance above Rs. 15,000 the surcharge will be increased from 15 to 20 pies in the rupee. The effect of these changes will be to impose a surcharge amounting uniformly to 66½ per cent. over the basic rates of income-tax. At the same time there will be an increase in the super-tax on the slabs of income between Rs. 25,000 and Rs. 3½ lakhs: here the surcharge will be raised uniformly by half an anna in the rupee. The resultant aggregate rates of super-tax, including surcharge, will thus run from two annas in the rupee on the lowest slab to ten and a half annas on the top slab. Corporation tax will also be raised by half an anna, to a rate of two annas in the rupee. The Excess Profits Tax will be extended to cover the profits of a further period.

[Sir Jeremy Raisman.]

of one year, but the rate of 66½ per cent. will remain unchanged. The additional revenue from these changes in direct taxation is estimated at Rs. 7 crores in the coming year.

58. Turning now to indirect taxes, I would observe in the first place that it is proposed to continue for a further period of one year the levy of the emergency surcharge of one-fifth over the schedule of customs import duties which was imposed in the last Finance Act. We are still fully conscious of the disadvantages which would attach to a measure of this kind in normal times, but our import trade must remain subject for the time being to highly abnormal restrictions and emergency control, and in these circumstances we cannot afford to forego such gain as accrues to our revenues from the additional duties. For the rest, we propose to introduce two new taxes, an excise duty on tobacco and an excise duty on vegetable product.

The quantity of tobacco consumed in India is extremely large; but, while imports have long been subject to customs duties at luxury rates, the problem of its internal taxation has hitherto defied solution, thus leaving a notable gap in India's fiscal system. Tobacco's unique eligibility for taxation is universally acknowledged; it is not a necessity of life, its use is widespread, and its consumption can be varied greatly, according to the means of the consumer. By various methods, ranging from a State monopoly to the licensing of vend, it is taxed in almost every other civilised country in the world, and experience in these countries shews its immense revenue possibilities. The feasibility of systematic taxation on an all-India basis was repeatedly examined by the Government of India and in 1925 the Indian Taxation Enquiry Committee observed that "the considerations which led in other countries to the selection of tobacco as one of the principal subjects for consumption taxation apply with equal force to India." The problem was last investigated in 1930-31, but no solution was found and provinces were accordingly encouraged to derive what revenue they could from the control or taxation of retail vend and generally to develop this field of taxation in the hope that experience of the various schemes suggested might lead to the evolution of a practicable general excise system. Apart from the obvious administrative difficulties, the two chief obstacles at that time were that the tax on tobacco was not then a Central prerogative and that even if provinces introduced identical legislation there then existed no organisation capable of operating the excise on an all-India basis. These obstacles no longer exist. Under the present Constitution Act the power to levy a tobacco excise has been clearly allocated to the Centre, and with the development of central excises which has taken place in recent years we have organised the administrative machinery on lines which now enable us to tackle the operation of a new all-India Excise. In view, therefore, of the compelling need for additional revenue we have decided to introduce a Bill for the levy of excise duties on tobacco produced or manufactured in India, with the exception of tobacco grown for the personal consumption of the grower or the members of his household. Administrative difficulties undoubtedly remain, but we have for some time now been engaged on a detailed survey of the field and we are convinced that with care and close attention they can be satisfactorily overcome. The system will be more fully described when consideration of the Bill is moved; all I need say now is that it embraces all forms of tobacco, that duty will become chargeable only after the tobacco has been cured and will in some cases be charged on the manufactured product; that the rules allow payment to be postponed till the tobacco is about to pass into manufacture or consumption; that the scale of duties has been so devised as to cause only a modest increase in retail prices; that full drawback will be granted on exports and that the cost of administration will form but a small percentage of the yield. On the limited data now available the yield of the tax cannot be precisely calculated but we estimate a return of Rs. 10½ crores during the first year. I may observe here that in the course of our enquiries we have been impressed by the considerable scope

which exists for development of this important cash crop, both in extending the cultivation of, and internal and external trade in, high quality leat, and in generally improving production and marketing; and we propose to make an annual grant of Rs. 10 lakhs for the purpose of financing measures designed to bring about such improvements.

The proposed excise on vegetable product, sometimes known as *vanaspati*, raises no administrative difficulties. There has for a long time been public agitation against the frequent use of this product for adulterating natural ghee, but that is an aspect which is not directly relevant to our present purpose, which is to raise new revenue. The rate proposed for the new tax is Rs. 7 per cwt., and the estimated yield is Rs. 140 lakhs.

59. We propose finally to make certain increases in our postal and telephone rates, which are estimated to yield approximately Rs. 120 lakhs. The changes are an increase in the inland letter rate for each tola after the first from half an anna to one anna; an increase in the inland parcel rate for the first 40 tolas from 4 annas to 6 annas and an increase in the existing surcharge on telephone rentals from 1/6th to 1/3rd.

CONCLUSION

60. The total estimated yield from new taxation thus amounts to Rs. 20.1 crores leaving a revenue deficit of Rs. 40.19 crores to be covered by our borrowing programme. When it is remembered that this is the estimated position for a period which will carry us to the end of four and a half years of war, it can, I submit, only be viewed with extreme satisfaction. Honourable Members will find, in the Explanatory Memorandum a statement summarizing the position in regard to our public debt, as it stood before the war and will stand, on the basis of our present estimates, at the end of March 1944. These figures are explained in the Memorandum which shows that, as compared with the last pre-war figure of Rs. 1,185 crores, the total interest-bearing obligations of the Government of India will have increased by Rs. 88 crores by the end of the current year and by Rs. 146 crores by the end of next year. Practically the whole of this is in the form of internal rupee debt, and the increase covers the estimated revenue deficits and capital expenditure on defence. It will be seen that excluding the capital of Railways and of Posts and Telegraphs, certain loans and advances, investments and cash, the so-called deadweight debt at the end of 1943-44 is estimated at no more than Rs. 317 crores. Even against this we shall hold, in addition to a vast amount of Central property, a quantity of partially remunerative assets. As against the modest net annual liabilities which the service of this debt will impose, we have in recent years called into being important new sources of revenue, which cannot fail, even after purely war-time features have been discarded, to contribute powerfully to the strength of the budgetary position.

In the consciousness of this intrinsic strength India can face the future with confidence and can play her part among the United Nations. Immediately ahead lies the stage of final effort which alone can lead to the consummation of victory, a stage which can be shortened not by eager hopes but by unremitting endeavour. Beyond this lies the stage of international co-operation in the great tasks of reconstruction, and in laying the foundations of a peace that can be maintained; and here too India will have a part no less significant than in the winning of victory.

THE INDIAN FINANCE BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce the Indian Finance Bill, 1943.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce the Indian Finance Bill, 1943."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE TOBACCO (EXCISE DUTY) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill to provide for the imposition and collection of excise duties on tobacco.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to provide for the imposition and collection of excise duties on tobacco."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE VEGETABLE PRODUCT (EXCISE DUTY) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill to provide for the imposition and collection of an excise duty on vegetable product.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to provide for the imposition and collection of an excise duty on vegetable product."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

The Assembly then adjourned till Eleven of the Clock on Monday, the 1st March, 1943.

LEGISLATIVE ASSEMBLY

Monday, 1st March, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

DEATH OF DR. F. X. DESOUSA.

The Honourable Sir Sultan Ahmed (Leader of the House): Sir, I have to refer to the sudden death of Dr. DeSouza, a Member of this Assembly, which tragic event took place day before yesterday. He was in the Assembly till only a few days ago and we never felt that the hand of death will so soon separate him from us.

Sir, Dr. DeSouza was a Member of the Indian Civil Service and rose to be a member of the Judicial Commissioners' Court at Karachi and I understand that he also acted as a puisne Judge of the Bombay High Court for a very short time. After retirement, he was nominated to represent the Indian Christian community in this Assembly in the year 1931. In recent years his attendance was slightly irregular owing to ill-health. He sometimes intervened in debates in this House and in earlier days he, not infrequently, took an independent line of action and invariably that which interested his community. Our hearts go out to the bereaved family and we request that you will be pleased to convey our deepest condolences and sympathies with them on this occasion.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I associate myself and the Party to which I belong with all that the Leader of the House has said about our colleague, Dr. DeSouza. He had very brilliant record of service and we knew him intimately when he joined the Assembly about nine years ago. He made a very great impression on all of us when he made his famous speech on Katsju which very few of us understood at that time. He was a great champion of coffee plantation in this country and his speeches produced very good impression on all of us who heard him. He had good many social virtues and we miss him very much in this House. I also wish to express sympathy with Mrs. DeSouza who was a frequent visitor to this Assembly; she was seen in the Visitors' Gallery on all important occasions. I request you, to convey our sympathies and condolences to Mrs. DeSouza and other members of his family.

Sir Henry Richardson (Nominated Non-Official): Sir, we in this Group associate ourselves most sincerely and whole-heartedly with the remarks which the Leader of the House and Sir Zia Uddin Ahmad have expressed. We are very sorry, indeed, that this sudden tragedy should have taken place and we join with the sentiments which have been expressed and ask you to convey these condolences to the bereaved family.

Pandit Lakshmi Kant Maitra (Presidency Division: Non Muhammadan Rural): Sir, I desire to associate myself and my Party with the references that have been made by the Honourable the Leader of the House. Dr. DeSouza was indeed, a very prominent figure in this House in earlier years and he made a deep impression on all of us by his personality and by the ring of sincerity in his speeches. The hand of death has suddenly removed him from our midst. We saw him only three or four days ago for the first time in this House and very little could we then anticipate that we would be missing him so soon. Sir, I desire that you, on our behalf, should convey to Mrs. DeSouza our sincere condolences. I would also suggest to the House that as a mark of respect to the departed colleague we should adjourn immediately.

Mr. President (The Honourable Sir Abdur Rahim): I share the grief which has been expressed by all sides of the House on the sudden death of Dr. DeSouza.

[Mr. President.]

He was a highly respected Member of the Assembly and I associate myself entirely with the tributes that have been paid by the Leader of the House and other speakers on this occasion. I shall communicate to the widow and other members of the family of the deceased the tributes and the condolences that have been expressed from all sides of the House.

It has been conveyed to me that it is the desire of all sections of the House that we should adjourn without transacting any business in honour of the memory of the deceased.

Honourable Members: Yes, yes.

Mr. President (The Honourable Sir Abdur Rahim): That being the desire, the Assembly is adjourned till Eleven O'Clock tomorrow.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 2nd March, 1943.

LEGISLATIVE ASSEMBLY

Tuesday, 2nd March, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

†193*—210.*

DESIRABILITY OF APPLYING THE CONTROL OF RENT ACT TO THE NOTIFIED AREA, SHAHDARA AND DELHI.

211. *Mr. Muhammad Azhar Ali: Will the Honourable Member for Labour please state:

- (a) if it is a fact that most of the workers employed in the industrial, commercial and Government offices at Delhi reside within the Notified Area, Shahdara and Delhi;
- (b) if it is a fact that the said workers are mostly low paid staff and are in greater number than the residents of the Notified Area, Civil Station, Delhi, and the newly expanded areas of Daryaganj and Karol Bagh, Delhi, where the Control of Rent Act applies;
- (c) the reasons for not applying the Control of Rent Act to the Notified Area, Shahdara, Delhi; and
- (d) if Government propose to apply the Control of Rent Act to the residential buildings within the Notified Area, Shahdara and Delhi, if not, why not?

The Honourable Dr. B. R. Ambedkar: (a) and (b). I am prepared to take these facts from the Honourable Member.

(c) and (d). It is not administratively practicable to apply the New Delhi House Rent Control Order, 1939, to these areas, but the Punjab Urban Rent Restriction Act has been extended to them.

Mr. Lalchand Navalrai: What are the reasons for not applying the New Delhi House Rent Control Order, 1939?

The Honourable Dr. B. R. Ambedkar: Because one is more expeditious.

PRICES OF FOODSTUFFS IN SIMLA AND DELHI.

212. *Mr. Muhammad Azhar Ali: Will the Honourable Member representing the Food Department please state the prices, separately, of wheat, wheat flour, *juar* and *juar* flour, millet and millet flour, cereals, (e.g., *arhar*, *mash*; *moong*); salt, ghee, mustard oil, soft coke, charcoal, fuel wood, sugar, *chini* and *bura*, prevailing in Simla and Delhi on the 1st October, 1st November and 1st December, 1942, and 1st January and 1st February, 1943 (prices may be quoted for the same quality of articles in both places)?

Mr. K. G. Ambegaonkar: The information is not readily available and is being collected. A statement will be placed on the table as soon as the information is ready.

INSTRUCTIONS FOR USE OF MIXED WHEAT FLOUR IN DELHI.

213. *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member representing the Food Department please state whether it is a fact that the Deputy Commissioner of Delhi issued instructions sometime back that anybody purchasing wheat flour must purchase an equal quantity of *juar* or millet flour?

(b) Was the underlying idea of these instructions that everyone should use wheat flour mixed with millet or *juar* flour in equal quantities?

(c) Is the Honourable Member aware that loaves of bread are still being

†For these questions and answers, see pages 664—673 of these debates.

prepared of pure wheat product? If so, what are the reasons for not applying the above instructions in the case of these loaves?

(d) Is it a fact that one of the reasons for not applying the instructions in the case of these loaves is that they are mostly used by Europeans, Americans and Anglo-Indians?

Mr. K. G. Ambegaonkar: (a) No. such instructions were issued but each licensed retailer was required to purchase sufficient maize or millet flour to make up his total supplies to three bags of flour a day and to endeavour to get his customers to accept these alternatives in place of part of their orders for wheat flour.

(b) No. A mixture of wheat and barley flour was at one time issued but this was not liked by the population and the experiment was abandoned.

(c) and (d). Do not arise.

Mr. Lalchand Navalrai: As a matter of fact, *juar* is mixed with wheat even now. Is the Honourable Member aware of it?

Mr. K. G. Ambegaonkar: If that is so, that is not on the orders of Government.

Mr. Lalchand Navalrai: Will Government please see that that is not done and the orders are carried out?

Mr. K. G. Ambegaonkar: I must ask for notice of this question.

INSTRUCTIONS FOR RETAIL PURCHASE OF WHEAT FLOUR AND SUGAR BY GOVERNMENT SERVANTS IN DELHI.

214. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member representing the Food Department please state if it is a fact that the Deputy Commissioner, Delhi, issued instructions some time back that the people of Delhi including persons employed in the Government of India and other offices, should purchase wheat and flour from retail shops thrice a week and that a large quantity should not be supplied at a time? Did he also issue similar instructions for the purchase of sugar?

(b) Is the Deputy Commissioner aware of the working hours of a large number of Government of India employees in Delhi?

(c) Is it not a fact that these employees have to attend office from 9-30 A.M. to about 7 P.M.?

(d) When did the Deputy Commissioner issue these and other similar restrictive instructions? Was the Deputy Commissioner aware that all provision shops were closed on Sundays and on week days they generally opened at or after 9 A.M.? If so, when did he expect the Government of India staff to make their purchases?

Mr. K. G. Ambegaonkar: (a) No instructions were issued for the purchase of wheat flour and sugar from retail shops thrice a week, but in order to ensure equitable distribution the retailers were instructed to limit the quantity sold to an individual consumer at a time.

(b) I cannot say whether the Deputy Commissioner knows the exact timings but he is fully aware that Government of India employees have to work long hours, as indeed do many other people in Delhi.

(c) The office hours in the Secretariat are generally from 10-30 A.M. to 5-30 P.M. except on Saturdays when they are from 10-30 A.M. to 1-30 P.M.

(d) These instructions were issued from time to time according to the supply position. The closure of shops on Sundays has become compulsory only since the introduction of the Punjab Trade Employees Act last December. There is no fixed time for the opening of shops. The difficulties of the Government of India employees are not different from those of any other employees.

Mr. Muhammad Azhar Ali: As regards (a), may I know whether Government also issued similar instructions for the purchase of sugar?

Mr. K. G. Ambegaonkar: No, Sir.

Mr. Lalchand Navalrai: Is it a fact that these commodities are being given by the shopkeepers on a particular day and if those commodities are not

available on that particular day the customers are not given and they are forfeited?

Mr. K. G. Ambegaonkar: I am afraid I have to ask for notice of this question.

PUBLICITY TO CONTROLLED RETAIL PRICES OF PROVISIONS IN DELHI.

215 *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member representing the Food Department please state whether the controlled retail prices of provisions, etc., in Delhi are brought to the notice of the public? If so, in what manner, if not, why not?

(b) Is the Honourable Member prepared to consider the advisability of giving full publicity to the controlled prices through the medium of the press and radio? Is he also prepared to arrange to supply to all Police Stations, Health Centres, etc., a copy of the controlled price list to facilitate the spread of the information among the public?

Mr. K. G. Ambegaonkar: (a) Yes. The control prices are made available to the Press and All India Radios. They are also broadcast on the local microphone service in Delhi City. Copies of the relevant orders are also sent to the police, municipalities, notified Area Committees and the Tehsildar for wide publicity.

(b) As explained, action on the lines indicated is already being taken.

Maulana Zafar Ali Khan: May I know why are not these given to local papers?

Mr. K. G. Ambegaonkar: I am afraid I cannot reply to that question.

Mr. President (The Honourable Sir Abdur Rahim): I should like to point out to the House that the Honourable Member—Mr. Muhammad Azhar Ali—has on this list eighteen questions, while the quota of each Member is limited to five. The result might be that starred questions of other Honourable Members would be blocked in the sense that they might be misled into not giving notice of any more questions for a particular day. I hope Honourable Members will take care that other Members are not inconvenienced. Answers to the remaining questions of Mr. Azhar Ali will be laid on the table.

PRICES OF FOODSTUFFS.

216. *Mr. Muhammad Azhar Ali: Will the Honourable Member representing the Food Department please state the price, separately, of wheat, wheat flour, *juar* and *juar* flour, millet and millet flour, cereals, (e.g., *arhar*, *mash*, *moong*), salt, *ghee*, mustard oil, soft coke, charcoal, fuel wood, sugar, *chini* and *bura*, *til* oil, washing soap, and bathing soap (prices quoted should be for the same quality of article on all dates) as they prevailed on the 1st January and 1st July of the years 1939, 1940, 1941 and 1942 and 1st January, 1943?

Mr. K. G. Ambegaonkar: It is not possible to reply to the question in the absence of particulars regarding the localities for which the prices are desired.

DIFFICULTY OF PURCHASE OF COAL BY GOVERNMENT SERVANTS IN DELHI.

217. *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member representing the Commerce Department please state the price of soft coke as it prevailed in Delhi on the 15th January and 1st February, 1943?

(b) Is there any disparity between the two rates? If so, the reasons therefor?

(c) Is he aware that coal merchants in the Gol Market area, Paharganj, etc., keep their shops closed on Sundays?

(d) Is he aware that Government staff, who have to go to office early and stay there till late hours, are unable to make purchases of coal? If so, is he prepared to arrange that these shops are not closed on Sundays but on some other day?

†Answer to this question laid on the table, the questioner having exhausted his quota.

(e) Is he aware that coal merchants generally arrange to receive their stocks during night, or at such time during the day when all the staff had left for office?

(f) Is he aware that these merchants dispose of their stocks at higher prices than the controlled rates to persons who do not find time to make their purchases on week days and that such sales are all carried out in the night?

Mr. T. S. Pillay: (a) The price of soft coke on the 15th January, 1948 was Rs. four and on the 1st of February, 1948, Rs. 1/9/- per maund.

(b) The answer to the first part of the question is in the affirmative. Control over the price of soft coke was exercised with effect from the 25th January, 1948, and hence the difference in rates.

(c) Yes.

(d) Government are not aware of the difficulties alleged to be experienced by Government staff. The choices of a weekly closed day under the Punjab Trade Employees Act, 1940, as extended to the Delhi Province rests with the owner or occupier of the shop or commercial establishment. The coal merchants of the Gole Market area and Paharganj observe their closed day on Sundays.

(e) No, Sir. Government's information is that coal merchants obtain their supplies during day light.

(f) Government are not aware of the practices referred to by the Honourable Member.

SALE OF FIREWOOD ABOVE CONTROL PRICE IN PAHARGANJ, DELHI.

†218. *Mr. Muhammad Azhar Ali: (a) Is the Honourable Member representing the Commerce Department aware that the wood stalls situated between the Paharganj Police Station and Jhandewalan are openly selling firewood at much higher rate than that fixed by the Controller?

(b) Is he aware that no action is being taken against any of those stall-keepers? If so, why, and if not, is he prepared to make enquiries into the matter?

Mr. T. S. Pillay: (a) No, Sir. No such case has been detected.

(b) Does not arise.

SUPPLY QUOTAS OF SUGAR AND *Atta* DEALERS IN NEW DELHI.

†219. *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member representing the Food Department please state whether it is a fact that the control administration in New Delhi have been asking certain dealers in New Delhi to supply sugar and/or *atta* to other dealers out of their quota? If so, why?

(b) Is it a fact that this quota in some cases is much less than the average sales of the dealers before control was introduced?

Mr. K. G. Ambegaonkar: (a) Yes, in a few cases only, so as to make supplies available to as many dealers as possible for the convenience of the public.

(b) Yes, because supplies were insufficient.

ALLOTTEES OF WHEAT FLOUR QUOTAS IN DELHI.

†220. *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member representing the Food Department please state whether it is a fact that in the Delhi city fixed quotas of wheat flour were allotted to certain persons in each ward of the city?

(b) Were these persons previously dealing in provision stores and foodstuffs? If not, why were these supplies made available to them?

(c) What is the profession of such persons, say, in Paharganj, who have been given quotas of wheat flour for sale to the public?

(d) What quantity of *atta* was given daily to each such person?

(e) Is the Honourable Member aware that most of the people who never had a provision store business before, could not sell the quantity allotted to

†Answer to this question laid on the table, the questioner having exhausted his quota.

them daily and so they sold the balance to persons who paid much higher price than those fixed by the control? Is he also aware that these stocks were sold in larger quantities at a time than was permissible under the orders?

(f) Is the practice of allotting such quotas to persons who were previously outside this sort of business, still continuing? If so, does he propose to stop this practice? If not, why not?

Mr. K. G. Ambegaonkar: (a) Allotments of wheat flour were made to licensed retailers in each ward.

(b) Yes, according to the information supplied by the applicants or the Municipal Commissioners for the ward.

(c) Their profession is retail dealers in foodgrains.

(d) From 1st September to 16th October, 1942—3 bags.

From 17th October to 14th December, 1942—2 bags.

From 15th December 1942 to 10th January, 1943—1 bag.

From 11th January to 25th February, 1943—2 bags.

(e) No such cases have been brought to the notice of the authorities.

(f) No fresh licences are being issued save in exceptional cases.

ALLEGED CORRUPTION IN THE PRICE CONTROL OFFICE, DELHI.

†221. ***Mr. Muhammad Azhar Ali:** (a) Is the Honourable Member representing the Food Department aware that the Price Control Office in Delhi issues chits or coupons for the supply of atta or sugar in the name of certain dealers, and that these coupons are actually given to other people and not to the dealers concerned?

(b) Is the Control Office doing this free of charge, or do they take some remuneration for such coupons? If the latter, what are the charges for such coupons?

(c) Is it a fact that in the matter of supply of coal similar practice is prevalent?

(d) Are Government aware of these practices, and what steps are proposed to be taken to prevent them?

(e) Are Government aware that in certain cases some dealers, in whose names coupons were issued, came to know of this fact, and created trouble in the Control Office by demanding the coupons which had been issued in their names?

(f) Is it a fact that some such coupons were traced and handed over to the dealers for whom they were actually issued, while others could not be traced as they had been disposed of finally?

Mr. K. G. Ambegaonkar: (a) The reply to the first part of the question is in the affirmative; that to the second part in the negative.

(b) No charges are made.

(c) No.

(d) Government are not aware of any such practice.

(e) No.

(f) Does not arise.

CHANGES IN CONTROLLED PRICES IN DELHI.

†222. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member representing the Food Department please state the exact date when control was enforced on the prices and sale of wheat and its products, sugar, charcoal and soft coke in Delhi?

(b) How many times, and on which dates, were these rates changed later?

(c) Do Government propose to state the prices fixed in the first instance and those which were fixed later when a change occurred?

(d) Do Government propose to give the reasons which led to these changes in the prices of different commodities mentioned above?

†Answer to this question laid on the table, the questioner having exhausted his quota.

Mr. K. G. Ambegaonkar: (a) Control was enforced on the following dates:

Wheat—15th December, 1941.

Wheat flour—27th January, 1942.

Sugar—18th May, 1942.

Charcoal—19th August, 1941.

Soft coke—25th January, 1943.

(b) As the rates were changed very often, except for soft coke, in which case the controlled price has remained unchanged the information desired involves expenditure of time and labour incommensurate with the results to be obtained.

(c) The prices fixed in the first instance were as follows:

Wheat—Rs. 4.12 to 5.5 per maund according to quality.

Wheat flour—Rs. 5.8 to 5.12 per maund.

Sugar—Rs. 13.13.9 for first quality Daurala.

Charcoal—Rs. 2 per bag of about one maund and 10 seers.

Soft coke—Rs. 1.9 per maund.

As several changes in price have been made since the initial fixation of the rates, it is difficult to give the information asked for in the second part of the question.

(d) The controlled prices had to be revised from time to time according to changes occurring at the primary sources of supply.

PRICE CONTROL SYSTEM IN DELHI.

†223. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member representing the Food Department please state the system followed by the Control Authorities in Delhi in allotting atta and sugar stocks to provision merchants for sale to public?

(b) Is there any separate officer who organises the distribution of stocks in New Delhi? If so, who and what is he?

(c) Is it a fact that the dealers in New Delhi were asked to supply statistics of their average sales of atta and sugar before they were allotted a quota of these commodities?

(d) Is it a fact that no fixed percentage cut was imposed on the average sales for allotting quotas?

(e) Is it a fact that considerable disparity occurred in the fixation of quotas to dealers? If not, does the Honourable Member propose to lay on the table a statement showing the average sale figures supplied by the dealers of Gol Market and the quotas allotted to them for wheat flour and sugar, separately, since the date of the fixation of these quotas?

Mr. K. G. Ambegaonkar: (a) For the equitable distribution of the available supplies of atta and sugar among the consuming public, licences have been issued under the Foodgrains Control Order and the Delhi Sugar Dealers Licensing Order to a fixed number of retailers on the basis of population. These retail licensees are allotted atta and sugar from the wholesalers' stocks under official supervision.

(b) Yes. The President of the New Delhi Municipal Committee.

(c) Yes.

(d) The quota fixed for each dealer bore the same relation to his average sale as the total average supplies bore to the total average sales in the past. This proportion was naturally not a fixed one but varied according to the supply position.

(e) The answer to the first part of the question is in the affirmative because the average sales of different dealers in the past were unequal. The second part of the question does not arise.

QUOTA ALLOTTED TO NEW DELHI FOR WHEAT FLOUR AND SUGAR.

†224. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member representing the Food Department please state the quota allotted to New Delhi as a whole in respect of wheat flour and sugar by the Delhi Control Authorities at the time control was enforced?

†Answer to this question laid on the table, the questioner having exhausted his quota.

- (b) What was the basis for fixing the above quota?
- (c) Was this quota ever reduced? If so, why and to what extent?
- (d) Did it again vary later? If so, to what figure and why?

Mr. K. G. Ambegaonkar: (a) Wheat flour—120 bags daily.

Sugar—65 bags daily.

(b) The quotas were fixed on the population basis according to the last census.

(c) The quota was not reduced in the case of sugar. In the case of wheat flour it varied for some time between 40 to 80 bags per day and was later fixed at 60 bags, depending on the supply position from time to time.

(d) Yes, when the supply position improved, the quota was again raised to 120 bags daily in January last.

NON-SUPPLY OF SUGAR TO PETTY DEALERS IN DELHI.

†225. *Mr. Muhammad Azhar Ali: Will the Honourable Member representing the Food Department please state whether the Delhi Control Authorities ruled that dealers desiring to purchase less than 8 bags of sugar should not be given any sugar at all? If so, why?

Mr. K. G. Ambegaonkar: No such order has been issued by the authorities concerned in Delhi.

RESTRICTIONS ON EXPORT OF ARTIFICIAL SILK CLOTH TO AFGHANISTAN.

226. *Nawab Siddique Ali Khan: Will the Honourable Member representing the Commerce Department please state:

- (a) whether any restrictions have been placed on the export of artificial silk cloth to Afghanistan; if so, when these restrictions were placed and what the nature of the said restrictions is;
- (b) whether any licence or licences have been granted for the export of artificial silk cloth to Afghanistan recently; if so, to whom such licences were granted;
- (c) whether the British subjects have been refused such licences, and if so, why; and
- (d) whether Government propose to issue such licences to British subjects in future?

Mr. T. S. Pillay: (a) A general prohibition on exports of artificial silk cloth to all destinations including Afghanistan has been in force since August 1942.

(b) A licence for the export of a small quantity of 7,624 yards of artificial silk goods to Afghanistan was granted to the Afghan Trading Company, Peshawar, in September 1942, for special reasons.

(c) Applications for export licences are ordinarily refused, irrespective of the nationality of the applicant.

(d) Does not arise.

Mr. Lalchand Navalrai: May I know if there is any restriction against silk being exported to Ceylon also?

Mr. T. S. Pillay: Yes Sir.

Mr. Lalchand Navalrai: Does the Honourable Member know that certain applications have been made to the Department by those persons who are dealing in silk for grant of permit?

Mr. T. S. Pillay: I do not know.

Maulana Zafar Ali Khan: May I know if restrictions have been imposed on export to Persia?

Mr. T. S. Pillay: I have already said that there is a general prohibition on exports to all destinations.

Dr. Sir Zia Uddin Ahmad: With reference to part (b) of the question, may I know whether licences were issued to those persons who are dealing with this business?

Mr. T. S. Pillay: I cannot say. A licence was issued for special reasons and at the request of the Government of Afghanistan.

†Answer to this question laid on the table, the questioner having exhausted his quota.

Dr. Sir Zia Uddin Ahmad: Was the licence issued by the Government of India at the suggestion of the Afghan Government?

Mr. T. S. Pillay: It was issued at the request of that Government.

Dr. Sir Zia Uddin Ahmad: Who determines the names of persons to whom licences have to be issued and who selects the persons to whom they are to be given?

Mr. T. S. Pillay: Actually selection is made by the Government of India.

Dr. Sir Zia Uddin Ahmad: Whether these licences were issued to those persons who had been carrying on trade?

Mr. T. S. Pillay: I require notice.

Dr. Sir Zia Uddin Ahmad: Whether you take into consideration old licencees or only new applicants?

Mr. T. S. Pillay: I cannot reply to that question from the information on the file here. The general policy is that we take into account those who have been in this trade in addition to those who seek licence for the first time.

Dr. Sir Zia Uddin Ahmad: This is a question of policy. My Honourable friend must be familiar with it. May I know whether the policy is to issue licences to persons who have already been carrying on trade or to new persons?

Mr. T. S. Pillay: I have said that that is the general policy.

Mr. Lalchand Navalrai: What are the reasons for the restriction of this silk export? Is it that silk is used for war purposes or for any other purpose on account of which this export is stopped?

Mr. T. S. Pillay: Almost all the artificial silk cloth is imported into India and owing to shortage in supply, we do not generally allow exports.

INQUIRY *re* PILGRIMS TO IRAQ AND IRAN.

†227. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha:** (a) Will the Honourable Member representing the Indians Overseas Department kindly state whether his predecessor, Sir Girja Shankar Bajpai, in his speech on the resolution regarding the appointment of a Pilgrim Officer in the Secretariat promised that the temporary officer appointed by Government would be entrusted with the task of inquiring into the matters relating to pilgrims proceeding from India to Hedjaz, Iraq and Iran? If so, why has no reference been made in the Special Haj Inquiry Report about pilgrims proceeding to Iraq and Iran?

(b) Has the author submitted a separate report on the subject? If not, do Government propose to hold a separate inquiry in regard to such pilgrims?

Mr. A. V. Pai: (a) Sir Girja Shankar Bajpai did not give any such promise, but Mr. Tyson did refer to the matter. The Honourable Member will appreciate that the purpose of the enquiry was to ascertain what improvements might be required in the regulation of the Haj pilgrimage and that the discussion in this House on the 6th November, 1940 related only to the Haj. The Special Officer therefore concentrated his attention on the problems arising from the sea pilgrimage to the Hedjaz.

(b) No report has been submitted on the subject of the pilgrimage to Iraq and Iran. Nor does any report seem to be called for. The Government of India have received no representations to the effect that pilgrims to the holy places in these countries experience serious difficulties. The Indian Vice-Consul at Baghdad is particularly charged with the care of pilgrims to the shrines of Kerbela and Nejef, while the Indian Attache at the Consulate General, Khorasan performs similar duties with regard to pilgrims to the shrine at Meshed.

HOUSE RENT CONTROL CASES IN NEW DELHI.

†228. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha:** Will the Honourable the Labour Member please state:

(a) the number of cases decided by the Rent Controller, New Delhi, regarding the extension of tenancy of houses in New Delhi in 1942;

†Answer to this question laid on the table, the questioner being absent.

- (b) whether there were cases in which the landlords applied that they required the houses for their own use;
- (c) if the answer to (b) be in the affirmative, how many applications from the landlords were rejected and how many accepted; and
- (d) if it is a fact that the rejection of such applications operated harshly against the landlords and is against the intention of the Rent Control Order; if so, whether the Honourable Member for Labour proposes to enquire into such cases and to revise the decisions of the Rent Controller, where necessary?

The Honourable Dr. B. R. Ambedkar: The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

HOUSE RENT CONTROL CASES IN NEW DELHI.

+229. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha:** Will the Honourable the Labour Member please state:

- (a) the number of cases for the fixation of rent for houses in New Delhi which were decided by the Rent Controller, New Delhi, in 1942;
- (b) in how many cases were the landlords asked to submit their objections;
- (c) why the landlords were not summoned in other cases; and
- (d) whether the Honourable Member proposes to instruct the Rent Controller to summon landlords in cases referred to in (c)?

The Honourable Dr. B. R. Ambedkar: (a) 534.

(b) to (c). The information asked for is not readily available and its collection would take an amount of time and labour that would not be justifiable in war time.

(d) The Controller summons the landlords in all cases where it is necessary to do so for the purpose of determining properly the matters on which he has to adjudicate, and no special instructions are necessary.

HOUSE RENT CONTROL CASES IN NEW DELHI.

+230. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha:** Will the Honourable the Labour Member please state:

- (a) whether the cases for the extension of tenancy were actually heard during 1942 in New Delhi, by Mr. Jones, late Rent Controller, but decisions were given by his successor without hearing the parties concerned; if so, what is the number of such cases; and
- (b) whether he proposes to appoint an officer to re-examine such cases?

The Honourable Dr. B. R. Ambedkar: (a) No; the latter part of the question does not arise.

(b) Does not arise.

DESIRABILITY OF EXTENSION OF THE PUNJAB RENT RESTRICTIONS ACT TO ENTIRE DELHI PROVINCE.

+231. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha:** Will the Honourable the Labour Member please state:

- (a) whether the Punjab Rent Restrictions Act has been applied to some parts of the Delhi Province;
- (b) if it is a fact that the areas covered by the Rent Control Order have been excluded from the operation of that Act; and
- (c) whether the Honourable Member proposes to withdraw the Rent Control Order and advise Government to extend the application of the said Act to those areas also; if not, why not?

The Honourable Dr. B. R. Ambedkar: (a) and (b). Yes.

(c) No. The Rent Control Order provides a speedy method of determining the fair rent of a house not provided for by the Punjab Act and I do not see any reason for withdrawing the Order.

†232. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Is the Honourable the Labour Member aware that in 1940 the rents of private properties in Simla were reduced considerably owing to the retention of the Civil Departments of the Government of India in Delhi and that a large number of houses remained vacant or were leased on a nominal rent by the landlords concerned during the course of that year? If so, do Government propose not to determine the rents for that year as basic rents under the Rent Control Order?

(b) Is the Honourable Member aware that the cost of repairs has gone up very high and that the Punjab Government have imposed a new tax of 7½ per cent. on the property under a new Act?

(c) Are Government aware that the landlords in Simla are suffering financially from the restrictions imposed by the Government concerned in one way or the other?

(d) Does the Honourable Member propose to amend the House Control Order for Simla, so as to determine the rents for 1939 as basic rents *plus* 25 per cent. on account of the increased cost of repairs or alternatively to withdraw the Rent Control Order and to apply the Punjab Rent Restrictions Act instead? If not, why not?

The Honourable Dr. B. R. Ambedkar: (a) Rents at the beginning of 1940 were lower than in 1939 when landlords had raised rents to an unreasonably high figure. Houses were not, however, rented at nominal rents in 1940, and the Government of India considered that the rents of 1940 were fair rents to take as basic rents under the Rent Control Order.

(b) Yes.

(c) Landlords are not suffering financially from the restrictions imposed upon them by Government but they are prevented from making more than reasonable profit on their properties.

(d) No; the Rent Control Order is an emergency measure designed to expedite decision regarding rents of houses. If Punjab Urban Rent Restriction Act is enforced instead, the tenants will have to seek redress in the Civil Courts which will not only be expensive but will take a long time to arrive at a decision.

PARTICIPATION OF THE SCINDIA STEAM NAVIGATION COMPANY IN HAJ PILGRIM TRAFFIC.

†233. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Is the Honourable Member representing the Indians Overseas Department aware that Muslims in general and pilgrims in particular welcomed the participation of the Scindia Steam Navigation Company in the pilgrim trade?

(b) Is it a fact that as a result of their participation the conditions of travel were improved but the other rival company started rate cutting in fares so as to oust the Scindia Steam Navigation Company from the field?

(c) Has the Honourable Member noticed that no recommendations have been made on this matter in the Special Haj Inquiry Report?

(d) Have Government agreed to solve the problem of rate cutting between the two companies in future?

Mr. A. V. Pai: (a) Government are aware of the opinions expressed by Port Haj Committees and certain Muslim representatives.

(b) It would not be correct to make a general statement that conditions of travel improved, but there has been an improvement in the food supplied. Government are not aware which of the rival Companies started the rate-war.

(c) Yes.

(d) Government will do all they can to prevent rate-cutting, should it appear likely in future.

ALLOTMENT OF CENTRAL GOVERNMENT EMPLOYEES' QUARTERS TO STAFF OF LOCAL SCHOOLS, ETC.

1234. *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Labour please state if he is aware of the fact that the Public Works Department quarters specially built for the Central Government employees are allotted to the staff of the local schools and courts in preference to the Central Government servants of certain Departments?

(b) Is he aware that the purely temporary staff of the so-called "entitled offices" is given preference over the permanent staff of other offices who are drawing higher salaries notwithstanding the loss of revenue to Government?

(c) Is it a fact that sister offices of the same Department are treated differently?

(d) Is it a fact that the Railway Clearing Accounts Office was treated as non-entitled but that decision has since been changed?

(e) Does the Honourable Member propose to review the position and take steps to treat all the Central Government offices alike?

The Honourable Dr. B. R. Ambedkar: (a) These quarters are meant for employees of the Central Government and of the Local Administration of Delhi posted in New Delhi and Delhi and may be allotted to such employees working in Schools and Courts.

(b) I am prepared to accept that the operation of the rules may have led to the result suggested by the Honourable Member.

(c) A more liberal interpretation of the rules regarding offices entitled to this accommodation has recently been adopted and it is possible that as a result there may be some anomalies.

(d) Yes.

(e) I am prepared to examine the case of any particular office brought to my notice, but do not propose to undertake a general review.

PROMOTION OF CLERKS IN THE IMPERIAL RECORD DEPARTMENT.

1235. *Mr. Muhammad Azhar Ali: (a) Will the Secretary for Education, Health and Lands please state whether non-graduates holding the lowest clerical grade posts in the Government of India and its attached offices are eligible for promotion to the second division and even to the first division and above, subject, of course, to consideration of merit and seniority?

(b) Is it a fact that it has been decided lately that only graduates will be appointed to second division posts (the name of which has now been changed to Junior Technical Assistantship) in the Imperial Record Department and that this decision will not only apply to the new entrants but even to non-graduates already holding permanent clerical posts in that office? If so, has this exception been made in the case of this particular office with the approval of the Home Department of the Government of India?

(c) What are the reasons for such a decision to apply to only a particular office? If this procedure which has been adopted for this particular office be on the ground that graduates are more suited to the second division posts, will the graduate clerks who thus got the benefit of promotion to the second division be assigned different duties from what they were performing prior to their promotion to the second division? If not, why not?

(d) Does the Honourable Member propose to consider the desirability of removing the anomaly at an early date?

(e) Is the Honourable Member aware that the non-graduate clerks of the Imperial Record Department who have been debarred permanently from promotion are not allowed even to apply for vacancies in other Government offices and that the application of an Assistant for an Emergency Commission (active service) has also been withheld by the Keeper of the Records?

(f) Is he aware that in other offices generally the staff is allowed to take up appointments in newly created and other offices? If so, why has the Keeper of

Imperial Records made it a point not to forward applications of the clerks of his office? Does he propose to state why has an exception been made in the case of clerks of this office?

Mr. J. D. Tyson: (a) There is no bar to non-graduate clerks as such being promoted to a higher division provided they are otherwise eligible for such promotion under the rules.

(b) and (c). The Government of India have recently decided to attach greater importance to the historical and cultural aspect of the work of the Imperial Record Department and to improve the facilities afforded by that Department to research scholars. For this purpose they have sanctioned a scheme for the reorganisation of the staff of the Department designed to give the Keeper of Records, who is a distinguished scholar, the assistance of men qualified to undertake historical research. It is not correct to say that the Second Division posts of the Department are now termed Junior Technical Assistants' posts. The classification of First Division and Second Division does not exist in this office. Prior to the recent reorganisation there were Assistants, mainly for technical work, and clerks, mainly for office and routine work. The Assistants have been absorbed in the new grades of Senior and Junior Technical Assistants. 20 per cent. of vacancies in the grade of Junior Technical Assistants are to be filled by promotion from among those clerks who possess the minimum qualification of a degree, with proficiency in English or History. The intention also is to relax the minimum qualification in exceptional cases, on the basis of merit. I should add that the office of the Imperial Record Department is a subordinate, not an attached, office and recruitment to the office establishment is not made through the Home Department.

(d) Does not arise.

(e) No. As a matter of fact as many as 18 applications from members of the staff of the Imperial Record Department have been forwarded during the past two years to other offices by the Keeper of Records. Two of these were for emergency commissions. A third applicant did not press his application.

(f) Does not arise in view of the reply given to part (e).

PROVINCIAL RECRUITMENT OF ASSISTANTS AND CLERKS IN THE IMPERIAL RECORD DEPARTMENT.

†236. ***Mr. Muhammad Azhar Ali:** Will the Secretary for Education, Health and Lands please state the number of Technical Assistants and other Assistants and clerks recruited from each province in the Imperial Record Department during the course of the last year?

Mr. J. D. Tyson: Four from Bengal, two from the United Provinces, six from the Punjab, one from Ajmer-Merwara and one from Delhi.

TRANSFERRED STARRED QUESTIONS AND ANSWERS†.

WRITTEN ANSWERS.

PAUCITY OF MUSLIM SUPERINTENDENTS, ETC., IN THE POSTS AND TELEGRAPHS DIRECTORATE.

193. ***Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Secretary of the Posts and Air Department please state the number and percentage of Muslims on the permanent strength of the following cadres in the Posts and Telegraphs Directorate on 1st January, 1942:

- | | |
|---|------------------------|
| (i) Superintendents including the Chief Superintendent; | (iii) Accountants; and |
| (ii) Assistants; | (iv) Stenographers? |

(b) Is it a fact that promotion to the cadres in (i) and (ii) above is made on the basis of selection? If so, how many selections have so far been made since 1938 in each of the cadres? Will the Honourable Member please state the communities of the officials promoted from the third division to the second

†Answer to this question laid on the table, the questioner having exhausted his quota.

‡The question hour of the 1st March, 1943, having been eliminated owing to the adjournment of the House without transacting any business, the answers to starred questions for that date were, in pursuance of Convention, laid on the table of the House today—*Ed. of D.*

division and from the second division to the Assistants' cadre and from that cadre to that of Superintendent's cadre by selection?

(c) Is it a fact that no Muslim has ever been selected for the post of a Superintendent in the Director General's Office? If so, why? What steps have been taken to improve the position of Muslims in this cadre? If no steps have so far been taken, does he propose to take urgent appropriate measures now to redeem the position to some extent? If not, why not?

(d) Is it a fact that senior elderly non-Muslims as well as certain superannuated Assistants and Superintendents are being kept on and even re-employed, thus depriving young and deserving officials in the lower grades from getting promotions? In this connection, does the Honourable Member propose to give the ages and communities of all the Superintendents, Chief Superintendents, and Assistants who have been granted extensions or re-employed since 1939? What were the reasons for their retention in service beyond the age of superannuation?

(e) Are the duties of Assistants and second division clerks in the Directorate interchangeable? If so, why is it necessary to make selections from among the second division clerks for their promotion to Assistants instead of giving promotions according to the well-established principle of seniority-cum-fitness?

(f) Since when has the cadre of Assistants been declared as a selection cadre? Is it a fact that in certain very recent selections, senior Muslim second division clerks who were declared fit for promotion to the first division were superseded by very junior non-Muslim clerks? Has any Muslim been allowed to supersede non-Muslims? If not, why not?

(g) How do Government justify these supersessions of senior Muslim clerks especially when there is a paucity of Muslims in the Assistants' cadre?

(h) Is it a fact that direct recruitment to the cadre of Assistants has long been suspended in the Directorate and that this has resulted in a deterioration of Muslim representation in that cadre? If so, what steps have been taken or are proposed to be taken to ensure that there is no further deterioration of the Muslim ratio and that the recent supersessions of Muslims are set aside?

Sir Gurnath Bewoor: (a) (i) Nil.

(ii) Number seven, and percentage 14.

(iii) All officials working as Accountants on 1st January, 1942 were borrowed from the Audit and Accounts Department, except one permanent official of the Posts and Telegraphs Department who is a Hindu.

(iv) Number one, and percentage 11.

(b) The reply to the first part is in the affirmative. So far, selections have been made on three occasions for promotion to the superintendents' cadre and on four occasions to the Assistants cadre. I lay on the Table a statement giving the information required by the Honourable Member in the last portion of this part of his question.

(c) It is not a fact that no Muslim has ever been selected. The second part does not arise. As regards the rest of the question, as the posts of Superintendents are filled entirely by departmental promotions, the rules relating to recruitment on communal basis do not apply.

(d) No extensions of service have been granted, but four retired superintendents and three retired Assistants, all Hindus, have been re-employed, after retirement, in temporary posts which have been created to cope with the increase of work due to the war. Their ages are between 55 and 59. Only one of these is employed as a Superintendent and the rest were employed as Assistants, Second Division or Third Division clerks. One of these has since left service.

(e) The reply to the first part is in the negative. The latter part does not arise.

(f) As regards the first part, the reply is—since 1930. As regards the rest of the question, promotion to the Assistants' cadre being on the principle of pure selection, no question of supersession arises.

(g) Does not arise, in view of the reply given to part (f) above.

(h) Direct recruitment to the cadre of Assistants in the office of the Director General of Posts and Telegraphs has been temporarily suspended on account of the existence of supernumeraries in that cadre. In view of this, no action is proposed to be taken.

List of Officials in the D. G.'s Office promoted from one Cadre to another.

	Hindus.	Muslims.	Other minority communities.
Promoted from III to II Division	10	5	
Promoted from II to Asstt. . .	14	2	
Promoted from Asstt. to Supdt. .	14	..	

ACCELERATED PROMOTIONS IN THE POSTS AND AIR DEPARTMENT

194. ***Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Secretary for the Posts and Air Department please state if it is a fact that certain third division non-Muslim clerks were given accelerated promotions to the second division in 1938 and since then to the Assistants' cadre?

(b) Is it also a fact that these very officials were promoted *en bloc* to the second division just before the arrival of direct recruits to the Posts and Telegraphs Directorate?

(c) On what principles was the seniority of departmental men and direct recruits fixed?

(d) Is it a fact that the seniority of these officials has been fixed and refixed several times and was finally fixed to the disadvantage of the direct recruits who embrace a number of Muslims?

(e) Is it a fact that this has resulted in aggravating the already deteriorating position of Muslim clerks in regard to their chances of promotion to the Assistants' cadre?

(f) Is it a fact that in giving accelerated promotions to the departmental men referred to in part (a) above, the department overlooked the rights of Muslim senior clerks as well as the Government rules prescribing definite percentages for promotion of departmental men and direct recruits in the Assistants' cadre?

(g) In view of the absence of direct recruitment to the Assistants' cadre in the Directorate, does the Honourable Member consider the desirability of giving Muslim and other minority communities officials accelerated promotions to that cadre? If not, why not? Does he propose in this connection to set aside the supersessions of Muslims, if any?

Sir Gurunath Bewoor: (a) A certain number of Third Division clerks, including Muslims, were promoted to the Second Division as part of the re-organisation scheme of the Posts and Telegraphs Directorate in 1938; a few of them have since been promoted to the Assistants' cadre according to the rules on the subject.

(b) Does not arise, in view of the reply to part (a) above.

(c) The seniority of direct recruits in relation to promoted departmental officials was examined by Government taking into consideration all the circumstances created by the re-organisation of 1938, and it was finally decided that one promoted departmental official should be placed after every two direct recruits, as being fair to all concerned.

(d) The seniority was re-fixed twice but the position of Muslims was in no way affected differently from that of officials of other communities.

(e) Does not arise, in view of the reply to part (d) above.

(f) As no accelerated promotion was given to the departmental officials referred to in part (a), the question does not arise.

(g) No, as promotions are made by pure selection and are not based on communal considerations.

OFFICIALS IN THE POSTS AND TELEGRAPHS DIRECTORATE SPARED FOR OUTSIDE PROMOTION.

195. *Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Secretary of the Posts and Air Department please state the communities and cadres of the officials in the Posts and Telegraphs Directorate who have been spared by the Directorate for promotions outside the department since 1939?

(b) Is it a fact that Muslims have been discriminated even in this matter and were not allowed to go out in the interests of efficiency of the department while quite senior non-Muslims were spared?

Sir Gurunath Bewoor: (a) (1) Assistants: Muslims—two, Hindus—two;

(2) Second Division Clerks: Anglo-Indian—one; Hindu—one. (3) Stenographers: Hindu—one.

(b) No.

PAUCITY OF MUSLIM WIRELESS OPERATORS AND ENGINEERING SUPERVISORS.

196. *Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Secretary of the Posts and Air Department please state the number and percentage of Muslim recruits to the cadres of Wireless Operators and Engineering Supervisors since 1938, separately for each year?

(b) What steps have been taken to secure a larger number of Muslims? If none, why?

(c) Is it a fact that in the recent recruitment to a similar cadre, viz., Career-Attendants for which the same educational qualifications are required, Muslims have been able to secure their full quota of reservations? Does the Honourable Member propose to see that a similar mode of recruitment to the cadre of Engineering Supervisors and Wireless Operators is adopted? If not, why not?

Sir Gurunath Bewoor: (a) I lay on the table a statement giving the information required by the Honourable Member.

(b) The examinations as well as the notices calling for applications are widely advertised in the public press. Heads of leading Muslim educational institutions have also been addressed on the subject in order to secure more Muslim candidates with suitable qualifications. Further, the percentage of marks prescribed for qualifying in the competitive examination has been successively reduced in order to enable more candidates of the minority communities to qualify.

(c) It is a fact that in the recent recruitment of candidates to the purely temporary posts of Carrier attendants, sufficient Muslim candidates applied and secured their full quota of reservations. It must, however, be made clear that as the candidates were required urgently, it was decided to recruit without holding, as usual, an open competitive examination. It is not proposed to adopt a similar method in connection with the recruitment to the cadre of Engineering Supervisors and Wireless Operators where the nature of work, duties and responsibilities is entirely different.

Statement showing the Number and Percentage of Muslim Recruits to the Cadres of Engineering Supervisors and Wireless Operators, since 1938.

Examination held in.	No. filled by Muslims.	Percentage of Muslim recruits.
<i>Engineering Supervisors recruited by Competitive Examination.</i>		
December 1938	12	26.1 per cent.
February 1940	3	18.8 per cent.
July 1941	9	8.9 per cent.
<i>Wireless Operators recruited by Competitive Examination.</i>		
December 1938	11	22.0 per cent.
February 1940	3	6.0 per cent.
July 1941 . . . . .	..	....

Wireless Operators recruited from partially trained Candidates.

Examination held in.	No. filled by Muslims.	Percentage of Muslim recruits.
1938	3	8.6 per cent.
1939
1940
1941
1942

DESIRABILITY OF ABOLISHING THE COMPETITIVE EXAMINATION FOR RECRUITMENT TO SUBORDINATE POSTS AND TELEGRAPHS SERVICES.

197. *Maulvi Syed Murtuza Sahib Bahadur: Will the Secretary of the Posts and Air Department please state whether it is a fact that ever since the introduction of a competitive examination for the recruitment to the subordinate Posts and Telegraphs Services, the department have failed to secure an adequate number of minority communities candidates? If so, does he propose to consider the desirability of abolishing this method of recruitment which has been proved by experience as unsuccessful in so far as the observance of the communal orders in the services is concerned? If not, why not?

Sir Gurnath Bewoor: The position is not as stated by the Honourable Member in the first part of his question. When the examination was first introduced, there were occasions, in a few Circles and in some years, when the number of candidates of the Muslim or other minority communities who were able to qualify in the examination was insufficient to fill up all the posts reserved for them under the rules relating to recruitment on communal basis. Such unfilled posts were, however, carried on to the next year's quotas. In recent years, the position has greatly improved and in the examination held in 1941, the number of Muslim candidates who qualified in the examination were sufficient to take up all the reserved vacancies. In the circumstances, Government do not propose to give up the present system of open competitive examination which has many substantial advantages, excluding, as it does, all favouritism and ensuring at least a minimum standard of quality in the candidates. Government, however, are taking all measures necessary to ensure that the interests of the minority community candidates do not suffer.

RECRUITMENT OF INSPECTORS AND HEAD CLERKS OF THE SUPERINTENDENTS OF POST OFFICES.

198. *Maulvi Syed Murtuza Sahib Bahadur: (a) Will the Secretary of the Posts and Air Department please state whether recruitment to the cadre of Inspectors of Post Offices and Head Clerks of the Superintendents of Post Offices is made by means of a competitive examination?

(b) If the reply to (a) above be in the affirmative, will he give the reasons for this novel method of promoting departmental officials?

(c) Is it a fact that this method has served as a weeding out process for the minority communities especially the Muslim officials? How many Muslims have secured these posts since the introduction of the examination and what is their percentage to the total recruitment made thereto?

(d) Do Government propose to consider the desirability of laying down a standard of qualifications for the examination and to take the minority communities candidates who satisfy that standard? If not, why not? What is the necessity of competition in making departmental promotions?

Sir Gurnath Bewoor: (a) Yes, subject to certain conditions.

(b) The reasons for introducing this method which is by no means novel were:

- (1) to remove all grounds for accusations of favouritism or prejudice associated with the old system of nomination,
- (2) to improve the quality of the personnel in the Inspectors' cadre from among whom the best are selected for promotion to the Superintendents' cadre, and

(3) to afford wider and more equal opportunities to the staff of the Department to compete for these posts.

(c) The reply to the first part is in the negative. Thirty-three Muslims have so far been selected, the percentage to the total recruitment being 11.

(d) No, because the communal recruitment rules do not apply to posts filled by promotion. As regards the last part of the question, the object is to secure the best candidates available at the time to fill the required number of posts. The matter is however under consideration.

NEED FOR AN OVER-BRIDGE AT BARAUNI JUNCTION STATION.

199. *Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways be pleased to state:

- (a) whether the attention of Government has been drawn to the need for an over-bridge at the Barauni Junction Station of the Oudh and Tirhut Railway;
- (b) whether representations were made on the subject in the past; if so, with what result;
- (c) what arrangements are made for the crossing of passengers of one train to another when Up and Down trains arrive simultaneously or one after another with short intervals; and
- (d) whether there is any third or intermediate class female waiting room at the said station?

The Honourable Sir Edward Benthall: (a) and (b). I would refer the Honourable Member to Khan Bahadur Sarfaraz Hussain Khan's unstarred question No. 95 of 2nd September, 1929, and the reply thereto.

(c) Passenger trains cross at many stations on the single line not provided with over-bridges. The procedure for ensuring the safety of passengers who may have to cross a railway line varies with local conditions, and Government have no information of the detailed arrangements at the junction mentioned.

(d) Government have no information.

INTERMEDIATE CLASS WAITING ROOMS AND MUSLIM REFRESHMENT ROOMS ON THE TIRHUT SECTION OF OUDH AND TIRHUT RAILWAY.

200. *Maulvi Muhammad Abdul Ghani: Will the Honourable Member for Railways be pleased to state:

- (a) the number of male and female intermediate class waiting rooms on the Tirhut section of the Oudh and Tirhut Railway; and
- (b) if there is any Indian refreshment room for Muslims at Savan, Chupru, Sonapore, Muzaffarpore, Samastipur, Barauni Junction, Bihpur, Sahibpur-Kamal and Kutihr railway stations on the Tirhut section of the Oudh and Tirhut Railway?

The Honourable Sir Edward Benthall: (a) and (b). The information is not available in Government records.

MUSLIM TEA STALL AT SONEPUR RAILWAY STATION.

201. *Maulvi Muhammad Abdul Ghani: Will the Honourable the Railway Member please state:

- (a) whether there is any Muslim refreshment room run by a Muslim at Sonapore on the Tirhut Section of the Oudh and Tirhut Railway;
- (b) whether it is a fact that the tea stall for Muslims at Sonapore is run by a retired Hindu Station Master or some other Hindu gentleman;
- (c) whether repeated complaints against the Muslim tea stall run by a Hindu have been made to the railway authorities when the said Railway was under the management of the Bengal and North Western Railway; if so, with what results; and
- (d) if Government propose to remedy the long felt grievances of the Muslim travelling public passing through Sonapore Junction?

The Honourable Sir Edward Benthall: (a) No

(b) I understand the tea stall is managed by a Hindu contractor, who is not a retired Station Master.

(c) No. I am informed that complaints of this nature have been negligible.

(d) If a substantial need for a separate Muslim Refreshment Room exists, this is a matter which might suitably be represented at a Local Advisory Committee meeting.

DETENTION OF 19 UP EXPRESS AT KARACHI CANTONMENT RAILWAY STATION.

202. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that 19 Up Express was detained for nearly an hour at Karachi Cantonment station on the night of the 25th/26th August last, as a Sub-Inspector of the Railway Police had occupied a reserved third class compartment and refused to vacate the same, which he eventually did after one hour's detention? If so, what action was taken in the matter?

(b) What are the charges leviable for such a detention if a passenger desires to detain the train?

(c) What steps do Government propose to take to ensure that the trains are not unnecessarily detained by officials? If none, why?

The Honourable Sir Edward Benthall: (a) I presume the Honourable Member is referring to the incident which, I am informed, occurred on the night of August 24th/25th and not of 25th/26th. If so, the facts appear to be substantially as stated. Disciplinary action has been taken by the appropriate Police authority.

(b) No such charges are scheduled in Railway Tariffs.

(c) Unnecessary detention of trains by officials is of exceptional occurrence. Government propose to continue the practice of reporting any such cases to the departments concerned for suitable action.

TRANSFER OF MAJOR HAZELLES FROM CAWNPORE TO THE ORDNANCE DEPOT, DELHI FORT.

203. *Dr. Sir Zia Uddin Ahmad: (a) Will the Honourable Member representing the Supply Department please state the date of the transfer of Major Hazelles from Cawnpore to the Ordnance Depot, Delhi Fort?

(b) Was there any complaint regarding his work at Cawnpore?

(c) What was the percentage of rejection of the goods tendered for inspection before and after his posting in Delhi?

(d) Is the large percentage of rejection due to closer honest scrutiny or for other reasons?

(e) Is there any system by which the working of an officer can be checked?

(f) Is there any system for redressing the grievances of a contractor as far as inspection is concerned?

Mr. J. A. Mackeown: The question should have been addressed to the Secretary of the War Department.

ENQUIRY ABOUT THE BURNING OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

204. *Dr. Sir Zia Uddin Ahmad: Will the Honourable the Railway Member please state:

(a) what enquiries he has made about the burning of the Railway Clearing Accounts Office in Delhi; and

(b) who made the enquiries and what were the findings?

The Honourable Sir Edward Benthall: The Deputy Director of the Railway Clearing Accounts Office made an enquiry and found that the fire had been caused by the mob which attacked the building on the 11th August, 1942. The Police have also made an enquiry which resulted in the arrest of 36 persons, 24 of whom were convicted and sentenced to various terms of imprisonment, one was bound over, five were discharged for lack of evidence and the remaining five were acquitted.

REWARDS FOR INVENTIONS AND SUGGESTIONS BY NORTH WESTERN RAILWAY EMPLOYEES.

205. *Bhai Parma Nand: (a) Is the Honourable the Railway Member aware that the North Western Railway offered rewards in the Railway Gazette 11,

page 346, dated Friday, the 3rd June, 1938, to their staff for sending inventions and suggestions for the betterment of the running trains?

(b) Are Government aware that the North Western Railway also published in the same Gazette that, apart from the reward, a note will be made in their service cards for such inventions and suggestions if accepted by the Invention and Suggestion Committee?

(c) Do Government propose to lay on the table full particulars of the North Western Railway employees whose inventions or suggestions were accepted and the detail of rewards given to such employees?

(d) Is any regard or special consideration for the suggestion or invention given by the Railway towards these employees? If not, why not?

(e) Do the Railway Department agree to recognise those employees who offered suggestions and inventions which have been accepted by the Railway Administration and adopted for the railway working and for the betterment of the railway running?

(f) Do Government propose to give special consideration to such employees?

(g) Do Government propose to consider this point to encourage the railway employees for the future progress of the Railway?

The Honourable Sir Edward Benthall: (a) and (b). No, as I have not seen the publication referred to, but I am prepared to take the Honourable Member's word for it.

(c) No

(d) The remarks are no doubt taken into consideration when the employee's service is reviewed for any purpose. The second part does not arise.

(e) and (f). I have no reason to believe that the Railway is not giving due weight to the fact that some employees have offered practicable suggestions for improved working and the matter is one within the discretion of the Railway Administration.

(g) Government have no reason to believe that the matter is not one which Railways always have prominently before them.

THEFT CASES IN CARRIAGE AND WAGON SHOPS, ALAMBAGH.

206. *Mr. Muhammad Azhar Ali: Will the Honourable Member for Railways please state if it is a fact that during recent years the percentage of theft cases is on the increase in the Carriage and Wagon Shops, Alambagh, and if so, what are the reasons?

The Honourable Sir Edward Benthall: I have no information, but am drawing the attention of the General Manager, East Indian Railway, to the allegation made for such action as he may consider necessary.

REPRESENTATION AGAINST COMMUNAL RESERVATION BY THE WORKS MANAGER, CARRIAGE AND WAGON SHOP, LUCKNOW.

207. *Mr. Muhammad Azhar Ali: (a) Will the Honourable the Railway Member please state if it is a fact that the Works Manager, Carriage and Wagon Shop, Lucknow, represented in 1939 and 1940 that the communal reservation should not apply in cases of promotion from inferior to subordinate cadre?

(b) Is it a fact that the same Works Manager has several times represented to the higher authorities that certain posts in the initial grades reserved for Muslims should be declared unreserved for communal consideration?

(c) Is it a fact that the same Works Manager has represented recently that due to difficulties in securing the services of Muslims, temporary posts should be exempted from the operation of communal reservation?

(d) Is it a fact that such requests have not been made by the Works Manager, Loco, Lucknow?

(e) Will Government be pleased to state what action was taken by the authorities on the representations referred to above?

(f) Is it a fact that, since these representations were made, no posts of journeymen or chargehands in the Mechanical Workshop have been reserved

for Muslims? If so, will the Honourable Member be pleased to give the number of such vacancies from 1939 to 1942?

(g) Will Government be pleased to state if it is a fact that all the officers stationed at Alambagh, Lucknow, are Hindus and one of these is a local man?

The Honourable Sir Edward Benthall: I have called for information and a reply will be laid on the table of the House in due course.

RECENT ACCIDENTS ON BENGAL AND ASSAM RAILWAY.

208. *Mr. Ananga Mohan Dam: (a) Will the Honourable Member for Railways be pleased to state whether there was an accident between Lakwa and Suffrai on the Bengal and Assam Railway about the early part of February and also another accident between Namrup and Naharkatia on the same railway in Upper Assam?

(b) Were these trains driven by military drivers? If so, were the accidents due to the inexperience of those drivers?

(c) What was the number of casualties, injured and killed, and what has been done to compensate the families of the injured and the killed?

The Honourable Sir Edward Benthall: (a) The facts are as stated by the Honourable Member except that the first accident occurred on the 27th January, 1943.

(b) I understand that the accidents are still under enquiry, and I am therefore unable to give the information asked for.

(c) In the first accident nine persons were killed and 23 injured. In the second, there were no deaths or injuries. The question of compensation, other than that payable to Government Employees under the Workmen's Compensation Act, will be considered when the cause of the accidents has been finally determined.

DESIRABILITY OF INCREASING CARRIAGES ON MAIL AND MIXED TRAINS IN ASSAM.

209. *Mr. Ananga Mohan Dam: (a) Will the Honourable Member for War Transport be pleased to state whether, in view of the food shortage, he proposes to reserve daily a goods train for supply of food and other essentials of life from Parbatipur to Tinsukia and from Chandpur to Badarpur?

(b) In view of the great congestion of civil passenger traffic and the consequent inconvenience, do Government propose to increase the number of carriages on the mail and mixed trains in Assam?

The Honourable Sir Edward Benthall: (a) I understand that a daily through goods train runs over the section from Parbatipur to Tinsukia and, as far as can be foreseen, this train will continue to run. The section Chandpur to Badarpur is normally served by mixed trains, goods trains being run when occasion demands. It is hoped these services will continue without interruption. So far as I am aware, there is adequate rail transport available for the movement of the necessities of life in these areas.

(b) I understand there is little prospect of increasing the number of coaches on the mail trains which are already running to full load. The proportion of passenger-carrying vehicles on mixed trains is a matter of domestic detail which must be left to the Railway Administration.

COMMODITIES PURCHASED BY INDIAN AND BRITISH GOVERNMENTS AT CONTROLLED PRICE RATES.

210. *Sir Abdul Halim Ghuznavi: Will the Honourable Member representing the Supply Department be pleased to state:

(a) what commodities are purchased by the Government of India and His Majesty's Government in India at controlled rates of prices imposed by the Government of India;

(b) the difference in prices between the controlled prices and the commercial prices ruling in the market in respect of each of such commodity; and

- (c) whether he proposes to lay on the table a complete statement of the volume and value of each commodity purchased at controlled rate in the Indian markets by the Supply Department of the Government of India?

Mr. J. A. Mackeown: (a) Assuming that by controlled rates of prices the the Honourable Member means prices imposed under the Defence of India Rules, the principal commodities are sugar, shellac, crude rubber, sulphuric acid and chrome compounds.

(b) It is presumed that the Honourable Member is referring to cases in which the controlled price is expressed as a maximum price and Government has been able to buy at less than the maximum. Shellac, sulphuric acid and bichromates have sometimes been bought at less than the maximum price.

(c) The necessary information is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

TRANSFERRED UNSTARRED QUESTIONS AND ANSWERS.

BOMBAY POSTAL EMPLOYEES ON DEPUTATION TO PRISONERS OF WAR CENSOR STATION, BOMBAY.

37. Mr. N. M. Joshi: Will the Secretary of the Posts and Air Department be pleased to state:

- (a) whether some of the employees of the Bombay General Post Office have been sent on deputation to the Prisoners of War Censor Station, Bombay;
- (b) whether their consent was obtained before they were deputed to that office;
- (c) whether they are paid any allowance while on deputation;
- (d) whether they enjoy Sundays and other postal holidays while on such deputation;
- (e) whether in the Prisoners of War Censor Station located at Bombay, there are other employees recruited direct from outside possessing qualifications similar to those possessed by the said deputees;
- (f) whether such direct recruits are given a much higher scale of pay than the present scale of pay given to the postal employees;
- (g) whether the deputees concerned had requested that they should be treated in the matter of pay, hours of work and holidays, etc., on the same lines on which other officials working in that department, who were directly recruited, were treated;
- (h) whether their request was granted; and if not, the reasons for the same; and
- (i) the steps which the Government propose to take to remove this discrimination and distinction in the treatment given to the deputees of the Post Office and other direct recruits?

Sir Gurunath Bewoor: (a) Yes.

(b) No.

(c) No.

(d) All Postal holidays and Sundays are not regularly observed as holidays by the staff of the Prisoners of War Censor station, but so far as the exigencies of the service permit, Sundays are observed and postal holidays are allowed to members of the community whose holiday it may be.

(e) Yes.

(f) No. The employees who possess qualifications similar to those of Posts and Telegraphs deputees are engaged as Clerks on Rs. 60. Direct recruits who know the Italian Language are paid Rs. 120.

(g) Yes.

†The question hour of the 1st March, 1943, having been eliminated owing to the adjournment of the House without transacting any business, the answers to unstarred questions for that date were, in pursuance of Convention, laid on the table of the House today—*Ed. of D.*

(h) No. So far as hours of work and holidays are concerned, all personnel are treated alike. As regards pay, the Posts and Telegraphs deputees who are on departmental rates draw, on an average, a higher salary than that paid to those who have been recruited in the open market, with the exception of those employed for their knowledge of the Italian Language.

(i) As no discrimination or distinction is made between the deputees of the Post Office and those recruited direct, the question of Government taking any steps to remove discrimination does not arise.

POSTAL EMPLOYEES ON FIELD SERVICE.

38. Mr. N. M. Joshi: Will the Secretary of the Posts and Air Department be pleased to state:

- (a) whether a large number of postal employees belonging to the subordinate and inferior cadres have joined the Field Service;
- (b) whether such employees have been given the benefit of the Emergency Allowance sanctioned in areas where emergency is declared in addition to the pay and other emoluments sanctioned for Field Service;
- (c) whether such employees are entitled to get the Dearness Allowance sanctioned from time to time and which they would have got had they not proceeded on Field Service;
- (d) if the answer to (c) above be in the negative, what are the reasons for not giving them the Dearness Allowance;
- (e) whether by reason of the denial of the benefit of the Dearness Allowance, some of the employees on Field Service are actually drawing salary inclusive of all the Field Service allowances less than what they would have got had they not proceeded on Field Service;
- (f) whether it is a fact that the families of such employees had to remain in India and were, therefore, given the Family Allotment from the pay of those employees; and
- (g) whether Government now propose to extend the benefit of the Dearness Allowance to such officials with retrospective effect; if not, the reasons for the same?

Sir Gurunath Bewoor: (a) Yes.

(b) If by "Emergency allowance" the Honourable Member means the special bonus of 20 per cent. sanctioned for Posts and Telegraphs personnel employed in certain areas of Bengal and Assam; then the reply is in the negative.

(c) No.

(d) Presumably because they receive free rations, free residential accommodation and free clothing.

(e) Not, if the cash value of free rations, etc., is added to the salary and other allowances.

(f) Yes.

(g) The matter is under consideration.

GOODS TALLY CLERKS ON NORTH WESTERN RAILWAY.

39. Mr. Lalchand Navarai: (a) Will the Honourable Member for Railways be pleased to state if it is a fact that there are some posts of Goods Tally Clerks on the North Western Railway? If so, how the recruitment is or was made to these posts?

(b) Are any promotions, temporary or permanent, given to Goods Tally Clerks to grade I? If so, from which branch and how?

The Honourable Sir Edward Benthall: (a) The reply to the first part is in the affirmative if the Honourable Member is referring to Tally Clerks employed in the Goods Office in the Karachi Port Area. As regards the second part, recruitment is not now made to this grade as the men are gradually

being replaced by Goods Clerks. This has been in progress for 12 years and information is not readily available as to how recruitment was made before this period.

(b) The first part of the question is not understood as the lowest grade of Tally Clerks is Grade I. The second part does not arise.

MONEY SPENT ON NORTH WESTERN RAILWAY MEDICAL DEPARTMENT.

40. Mr. Lalchand Navarai: (a) Will the Honourable Member for Railways be pleased to state how much money has been spent on the North Western Railway Medical Department during the financial years 1939-40, 1940-41, 1941-42, and budgeted for the year 1942-43, and what portion thereof was spent or was budgeted to be spent separately on the personnel, the medicines, the equipment and the contingent and other expenses?

(b) Is it not a fact that there has been substantial rise in the prices of medicines? If so, what increase has been made in the allotment for this item? If none, why?

(c) Is it a fact that the railway dispensaries and hospitals on the North Western Railway are not generally made use of spontaneously owing to shortage of medicines in these hospitals, but the employees only make use of them in case of accidents or when certificates are required for absence from duty?

(d) If the reply to part (c) above be in the negative, does the Honourable Member propose to lay a statement on the table of the House for the four years referred to in part (a) above, giving the average attendance of patients per day in the North Western Railway hospitals and dispensaries and the average amount spent on medicines on each patient per day?

The Honourable Sir Edward Benthall: (a) The information readily available is in Statement I attached.

(b) The reply to the first part is in the affirmative. As regards the second part, the information is given in the statement. The last part does not arise.

(c) No.

(d) The information is given in Statement II attached.

<i>Statement I.</i>				
	1939-40.	1940-41.	1941-42.	1942-43.
(i) Total expenditure of the Medical Department, North Western Railway, budgeted	7,57,000	7,80,000	7,80,000	7,90,000
				8,68,000 Revised.
(ii) Portion thereof spent separately on—				
(a) Personnel	6,13,258	6,23,685	6,26,027	..
(b) Medicines and Equipment	68,263	63,354	74,097	..
(c) Contingent	39,787	47,034	53,369	..
(d) Diet charges, for entitled employees only	20,323	28,009	33,760	..
(e) Other charges (including miscellaneous expenditure on anti-rabic treatment, consultant fees; Fees for members of Medical Boards; X-Ray, Clinical and Pathological examination charges, etc.)	9,820	9,992	7,859	..

<i>Statement II.</i>				
	1939-40.	1940-41.	1941-42.	1942-43.
(i) Average attendance of patients per day	4923.83	5257.56	5162.71	..
(ii) Amount actually spent on medicines and medical stores, etc., per patient per day	Rs. .038 or 7.3 pies.	Rs. .033 or 6.33 pies.	Rs. .039 or 7.42 pies.	..

EXTENSIONS OF SERVICE TO GOODS CLERKS ON NORTH WESTERN RAILWAY.

41. Mr. Lalchand Navarai: (a) Will the Honourable Member for Railways be pleased to state the number of grade I Goods Clerks who were given extensions of service on the North Western Railway or recalled to duty after retirement upto the 31st December, 1942?

(b) *Is it a fact that a number of Goods and Clerk Markers have been selected by various divisions under the orders of the General Manager, North Western Railway, for temporary promotion against Goods Clerks' vacancies? If so, why were the Markers not promoted in preference to retired hands who were given extensions of service or recalled?*

(c) *What is the comparative financial gain per month in case a Marker is promoted as a Goods Clerk, and a retired hand is recalled or a superannuated Goods Clerk is given extension of service? If the former process be cheaper, why are the railway finances unnecessarily taxed by appointing retired employees?*

The Honourable Sir Edward Benthall: (a) No Goods Clerks Grade I have been given extensions on the North Western Railway; 75 retired Goods Clerks have been re-appointed.

(b) The reply to the first part is in the affirmative. As regards the second part, the retired Goods Clerks were in a position to perform the duties of Goods Clerks independently which the markets were not.

(c) The financial gain in promoting a marker is about Rs. 30 per month. As regards the second part, financial considerations cannot alone determine the course to be adopted.

MUSLIM AND NON-MUSLIM DOCTORS AND COMPOUNDERS ON EAST INDIAN RAILWAY.

42. Mr. Muhammad Azhar Ali: (a) Will the Honourable the Railway Member be pleased to state the number of Muslim and non-Muslim doctors and compounders on the East Indian Railway?

(b) *Is it a fact that no Muslim doctor has been posted permanently to Lucknow, and the Divisional Medical Officer, Lucknow, refused to engage a Muslim cook for the hospital on representation made by the employees of the hospital? If so, why?*

The Honourable Sir Edward Benthall: (a) Government have no information beyond that contained in the Classified List of State Railway Establishment and Distribution Return of all Railways corrected up to 31st December, 1941, and the Classified List of Subordinate Staff of all Departments on scales of pay rising to Rs. 250 and above, corrected up to 30th September, 1941, published by the East Indian Railway, copies of both of which are in the Library of the House.

(b) Government have no information on these matters of detailed administration.

PAUCITY OF MUSLIM INFERIOR STAFF IN LUCKNOW DIVISION, EAST INDIAN RAILWAY.

43. Mr. Muhammad Azhar Ali: (a) Will the Honourable the Railway Member please state if it is a fact that no steps are taken by the authorities to employ an adequate number of Muslim watermen, pointsmen, porters and gate-keepers in the Traffic Department and gangmen in the Engineering Department of the Lucknow Division of the East Indian Railway? If so, are any steps proposed to be taken now?

(b) *Is it a fact that these appointments are not made through the Selection Board as recommended by the Royal Commission on Labour? If so, why?*

The Honourable Sir Edward Benthall: (a) No: the second part does not arise.

(b) The Royal Commission on Labour made no such recommendation as presumed by the Honourable Member. The second part does not arise.

CONFIRMATION EXAMINATION FOR CLERKS ON EAST INDIAN RAILWAY.

44. Mr. Muhammad Azhar Ali: (a) Will the Honourable the Railway Member please state if it is a fact that the East Indian Railway authorities have prescribed a confirmation examination for certain classes of clerks after their appointment? If so, whether any system for such examinations exists for any other kind of employees on the East Indian Railway and for clerks and other employees on other State-managed Railways? If not, why has this been done specially for clerks on the East Indian Railway?

(b) Is it a fact that recruitment of clerks is made through the properly constituted Selection Boards after due test? If so, what is the necessity of prescribing the confirmation examination?

(c) Is it a fact that the clerks are confirmed after passing the above confirmation examination, and those who fail to pass in two confirmation examinations are discharged from service? If so, does this not constitute any hardship to employees who become over-age for service in other Government Departments?

(d) Does the Honourable Member propose to state the number of clerks who failed to qualify in two examinations and were discharged since its inception?

(e) Do Government propose to consider the advisability of employing such failed clerks if they are suitable for the posts for which this confirmation examination does not apply?

(f) Do Government propose to consider the advisability of taking this qualifying examination before the appointments instead of taking it after the appointments in order to avoid hardships to employees?

The Honourable Sir Edward Benthall: (a) As regards the first and second parts, Government have no information regarding this matter of detailed administration. As regards the third part, the Railway Administration can, if it so desires, prescribe such examinations.

(b) The recruitment of clerks is made by Selection Boards in accordance with the rules in force on the East Indian Railway. As regards the second part, confirmation examinations are prescribed for testing the suitability of staff on probation for permanent retention in service.

(c) As regards the first part, Government have no information. As regards the second, Government do not consider it involves any hardship if persons who prove unsuitable are removed from service.

(d) and (e). No.

(f) No, because the test, if one is prescribed, is generally on knowledge acquired after admission to the service.

MOTIONS FOR ADJOURNMENT.

ALLEGED INSULT BY SOLDIERS TO MR. M. S. ANEY AT NAGPUR RAILWAY STATION.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjournment from Mr. Govind V. Deshmukh. He wishes to discuss a definite matter of urgent public importance, namely, the boorish and insulting behaviour of soldiers who took possession of a seat in a railway compartment reserved for Mr. M. S. Aney, ex-Member of the Executive Council of the Governor General, while he was leaving for Poona, at the Nagpur Railway station in spite of the protests of Mr. Aney and his friends and in utter defiance of the police and railway authorities and threw his luggage out of the compartment.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, on seeing this statement in the Press, enquiries were immediately made and the facts of the matter appear to be as follows:

Mr. Aney asked for a lower berth second class from Nagpur. Nagpur, Sir, is an intermediate station and reservations from it are not guaranteed. A member of the station staff, on arrival of the train, found a lower berth in Second Class for Mr. Aney. Later, a non-commissioned officer arrived probably from the refreshment room and he said he had been occupying the berth since the train had left Howrah and it was in fact his berth. His ticket confirmed this statement. The station staff then looked for another berth and the only second class berth available was an upper berth. One of the military service personnel in this compartment gave up his lower berth to Mr. Aney and took the upper berth himself. Mr. Aney thanked the station staff for what they had done and had no complaint to make, so far as could be ascertained. I may add, Sir, that Government is examining the question of action to be taken

[Sir Edward Benthall.]

against those responsible for giving publicity to this inaccurate and prejudicial report.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member Mr. Govind V. Deshmukh now wish to pursue this matter?

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): It appeared to me from the United Press report there was great sensation and I do not know whether the facts

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member cannot make a speech. He either wishes to move the motion or not.

Mr. Govind V. Deshmukh: We have often seen that soldiers misbehave

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Mr. Govind V. Deshmukh: In view of the facts set out by the Honourable Sir Edward Benthall, I do not wish to move the motion.

LATEST RESTRICTIONS ON SUPPLY OF NEWSPRINT.

Mr. President (The Honourable Sir Abdur Rahim): I have received a notice of motion for adjournment from Maulana Zafar Ali Khan. He wishes to move for the adjournment of the House to discuss an urgent matter of definite public importance, namely, the effects of the latest restrictions imposed in a Government Notification as reported in the *Dawn* of March 1st, on the supply and acquisition of newsprint which threaten the extinction of newspapers in this country.

What are the facts?

Mr. T. S. Pillay (Government of India: Nominated Official): On behalf of Government, I wish to object. My reasons briefly are as follows. Sir, there is no new order embodying any new principle which has been introduced.

Mr. President (The Honourable Sir Abdur Rahim): I do not want a speech. Does the Honourable Member suggest that it is not an urgent matter within the meaning of the Rule?

Mr. T. S. Pillay: Yes. My submission is that these restrictions were introduced long ago and they have now been amplified according to present circumstances and conditions.

Mr. President (The Honourable Sir Abdur Rahim): The question is whether they have been amplified so much as to threaten the extinction of newspapers.

Mr. T. S. Pillay: These restrictions will keep on the existing newspapers for a much longer time than otherwise it would have been possible.

Mr. President (The Honourable Sir Abdur Rahim): This does not seem to be an urgent matter.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): A grave situation has arisen.

Mr. President (The Honourable Sir Abdur Rahim): This sort of order has been in force for some time.

Maulana Zafar Ali Khan: We knew it only recently.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Admittedly, the amplification has been recent.

Mr. President (The Honourable Sir Abdur Rahim): No new principle is involved in it.

Maulana Zafar Ali Khan: The Government of India have pointed out in definite terms that the quota allotted to the newspapers has been reduced to one-eighth.

Mr. President (The Honourable Sir Abdur Rahim): When was that done?

Maulana Zafar Ali Khan: On the 17th February and 27th February. The first notification was on the 17th and then on the 27th.

Mr. President (The Honourable Sir Abdur Rahim): Then why did not the Honourable Member come earlier and move his motion? The notification was first made on 17th February.

Maulana Zafar Ali Khan: The last one was on the 27th February.

Mr. President (The Honourable Sir Abdur Rahim): There have been similar orders before the 27th.

Maulana Zafar Ali Khan: No, Sir. There were no similar orders before. Further orders imposing fresh restrictions have created a new situation and that situation is that papers cannot continue.

Mr. President (The Honourable Sir Abdur Rahim): What is the nature of the order.

Maulana Zafar Ali Khan: I shall read the nature of the order.

Mr. President (The Honourable Sir Abdur Rahim): Cannot the Honourable Member state it briefly? I simply wanted to know what is the effect of the order.

Maulana Zafar Ali Khan: The nature of the order is that no proprietor of a newspaper with effect from 18th February shall purchase or otherwise acquire from one or more stockholders newsprints in excess of the quantity specified in the quota allotment certificates issued to him for import of newsprint.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have taken steps to move the motion before. The motion is not urgent in the sense of the rule. I rule that it is out of order.

ELECTION OF MEMBERS TO THE STANDING FINANCE COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Wednesday, the 24th February, 1943, the time fixed for receiving nominations for the Standing Finance Committee 17 nominations were received. Subsequently three candidates withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies I declare the following Members to be duly elected, namely:

- | | |
|--------------------------------------|--|
| 1. Kunwar Hajeer Ismael Ali Khan. | 8. Mr. Umar Aly Shah. |
| 2. Major Nawab Sir Ahmad Nawaz Khan. | 9. Mr. H. A. Sathar H. Essak Sait. |
| 3. Mr. Saiyid Haider Imam. | 10. Maulana Zafar Ali Khan. |
| 4. Babu Baijnath Bajoria. | 11. Rai Bahadur Seth Bhagechand Soni. |
| 5. Mr. T. Chapman-Mortimer. | 12. Captain Sardar Bahadur Dalpat Singh. |
| 6. Mr. E. L.-C. Gwilt. | 13. Mr. N. M. Dumasia. |
| 7. Dr. Sir Zia Uddin Ahmad. | 14. Mr. Govind V. Deshmukh. |

THE HINDU CODE, PART I (INTESTATE SUCCESSION).

The Honourable Sir Sultan Ahmed (Law Member): Sir, I introduce the Bill to amend and codify the Hindu Law relating to intestate succession.

THE HINDU CODE, PART II (MARRIAGE).

The Honourable Sir Sultan Ahmed (Law Member): Sir, I introduce the Bill to codify the Hindu Law relating to marriage.

ELECTION OF THE STANDING COMMITTEE ON EMIGRATION.

Mr. A. V. Pai (Government of India: Nominated Official): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, eight non-official Members to serve on the Standing Committee on Emigration during 1943-44."

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, eight non-official Members to serve on the Standing Committee on Emigration during 1943-44."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of Members for the Standing Committee on Emigration the Notice Office will be open to receive nominations up to 12 o'clock on Friday, the 5th March, 1943, and that the election, if necessary, will be held on Monday, the 8th March, 1943. The election, which will

[Mr. President.]

be conducted in accordance with the principle of proportional representation by means of the single transferable vote, will be held in the Assistant Secretary's room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M.

RESOLUTION *RE* REVISION OF THE CONVENTION IN RESPECT OF CONTRIBUTION FROM RAILWAY TO GENERAL REVENUES.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I beg to move the following Resolution:

"That whereas it has been found that the Convention, which was adopted under the Assembly Resolution, dated 20th September, 1924, and which was intended to relieve the General Budget from violent fluctuations caused by the incorporation therein of the railway estimates and to enable railways to carry on a continuous railway policy based on the necessity of making a definite return to general revenues on the money expended by the State, has not achieved these objects, this Assembly recommends to the Governor General in Council that:

- (i) for the year 1942-43, a sum of Rs. 2.35,32 thousand shall be paid to general revenues over and above the current and arrear contribution due under the Convention,
- (ii) from the 1st April, 1943, so much of the Convention as provides for the contribution and allocation of surpluses to general revenues shall cease to be in force,
- (iii) for the year 1943-44, the surplus on commercial lines shall be utilised to repay any outstanding loan from the depreciation fund and thereafter be divided 25 per cent. to the railway reserve and 75 per cent. to general revenues, the loss, if any, on strategic lines being recovered from general revenues, and
- (iv) for subsequent years and until a new convention is adopted by the Assembly, the allocation of the surplus on commercial lines between the railway reserve and general revenues shall be decided each year on consideration of the needs of the railways and general revenues, the loss, if any, on strategic lines being recovered from general revenues."

Sir, the reasons which have necessitated Government placing this Resolution before the House have been given in some detail in my Railway Budget Speech and in the Railway Board's Explanatory Memorandum attached to the budget figures.

My predecessor in his budget speech last year indicated that in putting forward proposals for a revised arrangement for the division of the surplus, consideration would have to be given to the question whether there should be a general revision of the existing Convention or whether the arrangements should merely comprise interim arrangements to meet the war situation. In speaking on the subsequent cut motion moved by Sir Frederick James, he added that "if later in the year he found the possibilities envisaged in his budget speech were being fulfilled the proposal for a revision of the convention would be sympathetically considered". But he could not, for obvious reasons, take up this question during the September Session as the Railways were then experiencing a set-back in their earnings and the future was uncertain. We, however, gave consideration to the views of the House at the earliest possible moment and what we are now proposing is a combination of the two courses. We are making the only sort of interim arrangements which in our view are possible in war time and we are proposing to give the House and the public ample time to consider the wider question.

I do not think that there will be any dispute regarding the Preamble of the Resolution or that much time need be spent on that part of it. The convention itself contains provision for its own review within three years. A committee of the House sat upon it in 1928 with infructuous results and since that date there have been numerous cut motions, Resolutions and questions all of which pointed to the failure of the convention to give satisfaction under the varying conditions prevailing at the time they were moved. During the debate on the cut motion moved on March 20th of last year, speaker after speaker emphasised this fact. From the point of view of the Railway Department it will suffice to say that in the first twelve years of mixed prosperity and depression after the introduction

of the convention, Railways, in the net result, fared worse than they would have fared if the pre-convention arrangements had continued. It has been calculated that, in fact, Railways had not only handed over all the net surplus to general revenues but had, in effect paid to them in addition a sum of about 3½ crores from capital.

There are two reasons for bringing forward the present Resolution now in its present form: The first is the necessity of relieving general revenues this year and next. The General Budget introduced by the Honourable the Finance Member on Saturday in itself illustrates the justification for this. The second is the necessity of relieving the Railway Budget in the future years, if we are to meet the first necessity to the extent proposed in the present emergency. We should, in my opinion definitely not be justified in giving such a large share of the surplus profits to general revenues unless Railways are relieved of the one per cent. contribution in the future. From the Railway point of view I consider paragraph (ii) of the Resolution to be an essential element of the proposals for distributing the anticipated surplus of 1943-44. If Railways are not relieved of the one per cent. contribution for future years we should allocate more to the Railway Reserve now in order to provide for payment of this contribution in times of depression. Any other course would be unsound finance on the long term view.

It has been argued, on the one hand, that more should be allotted to Railway Depreciation Fund and General Reserves in order to provide for the inevitable post-war programme of rehabilitation. This has, of course, been in the forefront of our mind and from the purely Railway aspect naturally the larger the reserve the happier the Railway Department would be. But if Honourable Members would consider the present state of Railway finances and compare them with the position at the end of 1939-40, when we were in arrears to the extent of nearly 36 crores in our contribution to General Revenues and had borrowed 30½ crores from the Depreciation Fund they will note a remarkable degree of progress which the proposals at present under discussion are designed to prolong.

Taking the two years 1942-43 and 1943-44 together, 25 crores are being set aside for the strengthening of the railway financial position over and above the allocation to depreciation. The reason for the uneven allocation between the two years, the current year and next year, that is to say 16.15 crores in the current year and 8.94 crores next year, is our desire to clear the arrears of borrowing from the Depreciation Fund in the current year once and for all, so that in approaching the problem of a revision of the Convention we can start on a level basis.

Secondly, the surplus has been earned largely from general revenue expenditure arising out of the war. A substantial percentage of the increase in gross earnings is estimated to be due to direct military traffic and most of the balance to supply activity and increased passenger traffic. It is estimated that only 6½ per cent. of the increased earnings is due to the increase in rates and fares. The Railway Department must in equity admit that the general taxpayer, who is called upon to meet increased burdens, is entitled to the return of a substantial portion of the increased surplus arising out of war expenditure, since it must be remembered that railways are not subject to the direct taxation in the form of income, super and excess profits tax which is borne by the ordinary commercial concern.

While the claim of general revenues is reasonable, the grant of the counter-claim of the railways to be relieved of a contribution whether a surplus is earned or not, is a very real benefit to the stability of railway finances in the future, and one which adequately compensates for the present more generous allocation to general revenues.

On the other hand, the argument is put forward by others that railway reserves are already adequate and that excessive reserves should not be built up at the expense of contributions to general revenues. I would reply that the reserves are not by any means as substantial as we should like to see.

[Sir Edward Benthall.]

The Depreciation Fund is inadequate judged on sound financial principles. It is not necessary to dilate on this very technical subject, because at the appropriate time it is proposed to circulate a paper on this subject. A substantial Reserve Fund is necessary to meet interest charges in times of depression, as in the case of the slump of the 1930's, to provide greater security for the workers against the necessity of severe retrenchment in hard times and to act as a general reserve fund to meet special contingencies. It cannot be sustained that the reserve fund, as it will exist at the end of 1943-44, is adequate for these purposes.

These are in brief the reasons why we are asking the House to agree to paragraphs (i), (ii), and (iii) of the Resolution before us. The proposals have been formulated after balancing the various factors with the utmost care. They form an integral whole and a decision upon them does not admit of any delay if the railway and general budgets are to be passed.

There are some Members in favour of an immediate wholesale revision of the Convention and an attempt to construct a new one. Such Members are not content with paragraph (iv) of the Resolution and would prefer that the House should proceed at once with the full revision of the Convention.

Sir, this is a large task. It will take much time and labour to do the work thoroughly. Appropriate consideration will have to be given to the adequacy of the Depreciation and Reserve Funds, to the need for Amortisation and Betterment Funds, to the function of the Standing Finance Committee and the Central Advisory Council. As the 1928 Committee found, conclusions may well depend on the future constitutional position of the railway administration. All this work must not be allowed to interfere with the war effort. The public and the House will require time to consider the implications, since the subject is one of great importance and more than the financial provisions are involved in a wholesale revision. It would be a pity to hurry the investigation unduly in order to comply with the need for concluding the business of the Budget. Furthermore, we are today budgeting on boom conditions. For a final revision it must be necessary to forecast the probable gross receipts and expenditure in normal times before an appropriate basis of allocation between railways and general revenues can be settled. Which Member of the House would be so bold as to undertake this forecast at the present time?

In the light of these circumstances Government have come to the conclusion that the most practical course, and the course most fair to the House in the uncertain and rapidly fluctuating conditions and with the exacting and imperative pre-occupations caused by the war, is to adopt the interim arrangements proposed in the Resolution in order to relieve the general budget and take the first step towards setting railway finances on a sound footing, and then to proceed without delay, but at greater leisure through the existing machinery, the Standing Committee of the Legislature, with the consideration of the very difficult problem of a permanent revision of the Convention. This procedure will enable the House to conclude the budget arrangements for this year and next and to deliberate upon the future with the care which the subject deserves. I hope, therefore, that the House will accept this Resolution and the procedure outlined for the future.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That whereas it has been found that the Convention, which was adopted under the Assembly Resolution, dated 20th September, 1924, and which was intended to relieve the General Budget from violent fluctuations caused by the incorporation therein of the railway estimates and to enable railways to carry on a continuous railway policy based on the necessity of making a definite return to general revenues on the money expended by the State, has not achieved these objects, this Assembly recommends to the Governor General in Council that:

- (i) for the year 1942-43, a sum of Rs. 2,55,32 thousand shall be paid to general revenues over and above the current and arrear contribution due under the Convention,

- (ii) from the 1st April, 1943, so much of the Convention as provides for the contribution and allocation of surpluses to general revenues shall cease to be in force,
- (iii) for the year 1943-44, the surplus on commercial lines shall be utilised to repay any outstanding loan from the depreciation fund and thereafter be divided 25 per cent. to the railway reserve and 75 per cent. to general revenues, the loss, if any, on strategic lines being recovered from general revenues, and
- (iv) for subsequent years and until a new convention is adopted by the Assembly, the allocation of the surplus on commercial lines between the railway reserve and general revenues shall be decided each year on consideration of the needs of the railways and general revenues, the loss, if any, on strategic lines being recovered from general revenues."

Mr. President (The Honourable Sir Abdur Rahim): There are a number of amendments to this Resolution. I do not know if Honourable Members would now care to move them.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I have two amendments and I would like to move them both at one time so that if one is accepted then the question of moving the second will not arise. Therefore, I move:

"That the discussion of the Resolution be postponed in order that the whole question may be examined by a Committee of this House consisting of the following Members:

The Honourable the War Transport Member,
The Honourable the Finance Member,
The Financial Commissioner of Railways,
Sir John Francis Raper,
Sir Muhammad Yamin Khan,
Mr. Muhammad Nauman

Dr. P. N. Banerjea,
Mr. Jamnadas M. Mehta,
Sir F. E. James,
Mr. T. Chapman-Mortimer,
Sir Abdul Halim Ghuznavi,
Mr. N. M. Joshi, and
the Mover."

If you permit me, Sir, I would like to add four more names for the membership of the Committee, namely: Mr. K. C. Neogy, Mr. Hooseinbhoy A. Lalljee, Mr. Govind V. Deshmukh, and Sardar Sant Singh.

The second Amendment is

Mr. President (The Honourable Sir Abdur Rahim): Wait a minute. The Honourable Member cannot move both the amendments at the same time. Amendment moved:

"That the discussion of the Resolution be postponed in order that the whole question may be examined by a Committee of this House consisting of the following Members:

The Honourable the War Transport Member,
The Honourable the Finance Member,
The Financial Commissioner of Railways,
Sir John Francis Raper,
Sir Muhammad Yamin Khan,
Mr. Muhammad Nauman,
Dr. P. N. Banerjea,
Mr. Jamnadas M. Mehta,
Sir F. E. James,

Mr. T. Chapman-Mortimer,
Sir Abdul Halim Ghuznavi,
Mr. N. M. Joshi,
Mr. K. C. Neogy,
Mr. Hooseinbhoy A. Lalljee,
Mr. Govind V. Deshmukh,
Sardar Sant Singh, and
the Mover."

Dr. Sir Zia Uddin Ahmad: While moving the amendment, I may just remind the Honourable the Mover of the Resolution about the procedure that we adopted in

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): What is the time limit?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not trouble himself now about the procedure.

Pandit Lakshmi Kanta Maitra: What is the time limit for speeches on amendments to Resolutions?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to know that.

Does the Honourable Member wish to move any other amendment?

Dr. Sir Zia Uddin Ahmad: I said if this is rejected I will move the other one.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot do that. Now that his first amendment has been moved, he can move his second amendment.

Dr. Sir Zia Uddin Ahmad: Sir, I move the other amendment:

"That for the original Resolution the following be substituted:

[Dr. Sir Zia Uddin Ahmad.]

"That this Assembly recommends to the Governor General in Council that the following proviso be added to clause (3) of the Convention adopted by the Assembly in its Resolution dated the 24th September, 1924 :

'Provided further that the amount exceeding 75 crores in the Reserve and Depreciation Reserve Funds shall be transferred to General Revenue'."

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

"That for the original Resolution the following be substituted :

"That this Assembly recommends to the Governor General in Council that the following proviso be added to clause (3) of the Convention adopted by the Assembly in its Resolution dated the 24th September, 1924 :

'Provided further that the amount exceeding 75 crores in the Reserve and Depreciation Reserve Funds shall be transferred to General Revenues'."

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan) : Sir, I rise to move my amendment :

"That for clauses (ii), (iii) and (iv) the following be substituted :

"That a Committee consisting of the Honourable the Member for the Railways, the Honourable the Finance Member, the Financial Commissioner for Railways, Dr. Sir Zia Uddin Ahmad, Dr. P. N. Banerjee, Mr. Hooseinbhoy A. Lalljee, Sir F. E. James, Sir Abdul Halim Ghuznavi, Mr. N. M. Joshi, Sardar Sant Singh and the Mover be appointed to review the working of the Convention of 1924 and to make recommendations for allocation of railway surpluses between general revenues and railway revenues for the duration of this war and to make such other recommendations as they deem necessary for the post-war periods and to report on or before the 31st August, 1943'."

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

"That for clauses (ii), (iii) and (iv) the following be substituted :

"That a Committee consisting of the Honourable the Member for the Railways, the Honourable the Finance Member, the Financial Commissioner for Railways, Dr. Sir Zia Uddin Ahmad, Dr. P. N. Banerjee, Mr. Hooseinbhoy A. Lalljee, Sir F. E. James, Sir Abdul Halim Ghuznavi, Mr. N. M. Joshi, Sardar Sant Singh and the Mover be appointed to review the working of the Convention of 1924 and to make recommendations for allocation of railway surpluses between general revenues and railway revenues for the duration of this war and to make such other recommendations as they deem necessary for the post-war periods and to report on or before the 31st August, 1943'."

Now, the main Resolution and the amendments are open to discussion.

Dr. Sir Zia Uddin Ahmad : Sir, on a point of order: when this Resolution was moved on the 24th September, 1924, there was no time limit in the speeches, as I noticed from the length of the speeches

Mr. President (The Honourable Sir Abdur Rahim) : I do not know why there was no time limit. That is the Standing Order.

Dr. Sir Zia Uddin Ahmad : On account of the importance of the subject probably.

Mr. President (The Honourable Sir Abdur Rahim) : Perhaps it was agreed upon by all Parties at the time; but, anyhow I have to enforce the time limit.

Dr. Sir Zia Uddin Ahmad : It may be suspended on account of the importance.

Mr. President (The Honourable Sir Abdur Rahim) : I cannot allow that. There is the Standing Order. I cannot suspend the Standing Order. The Honourable Member can go on.

Dr. Sir Zia Uddin Ahmad : In view of the fact that we are allowed only fifteen minutes to discuss this very important Resolution, it clearly shows that it is impossible for the Assembly to come to an agreement which may be reasonable, because it cannot be properly discussed and this is an additional argument for my proposal that it should be referred to a committee where we can discuss the *pros* and *cons* across the table and decide the issue; we ought not to rush through the change in this very important Resolution, which I call a sacred Resolution, because everybody is allowed to speak only for fifteen minutes and we will be changing this very important measure of 1924.

I will just remind you first about the procedure, that when this Resolution was moved on the 3rd March, 1924, the Government at that time agreed to refer the matter to a committee. Mr. Ramachandra Rau who moved the amendment on the 3rd March said that though no doubt the Central Advisory Board and the Finance Committee may examine those proposals, he would like to have an independent discussion by a committee of the House. Though my Honourable

friend, the War Transport Member, may refer the proposal to an advisory committee or to any other committee, it seems desirable that the matter should be referred also to a committee of the House as they did on the previous occasion, on account of the importance of the subject.

In the first instance, I would like to draw the attention of the House to the history of the Depreciation Fund. Before 1875, the railways used to allocate some money for renewals and replacements; but they set aside very large sums of money under this head, and showed a smaller profit; and since the interest was guaranteed by the State, it paid the companies very well. In 1875, Government realised the position and abolished the system of the reserve fund at that time and they began to allot as much as was necessary for replacements and renewals. Then during the Great War the Government of India made the mistake, that instead of setting aside the annual grant for replacement and renewals, they spent the entire income for the prosecution of the Great War. The result was that when the war was over the replacements and renewals were entirely behind time, and the Railway Retrenchment Committee at that time calculated it at 22 crores; but the Incheape Committee calculated it at 18½ crores. I went through the figures and I thought it ought to have been over 22 crores at that time. The subject was again examined by the Acworth Committee, and they devoted considerable time to it and recommended the formation of a depreciation fund; and on that committee's recommendation, we had our Convention of 1924. Then the question was taken up, how this depreciation ought to be calculated. They put down the life of every article and they came to a certain figure; but in 1935 they said it was unnecessary to have this calculation and they put down the depreciation to be equivalent to one-sixtieth of the capital at charge. This system is open to very great objections. The other thing on which they went on the wrong track was the recommendation of the Dickinson Committee. This Dickinson Committee by continuing this particular question of depreciation fund made certain recommendations which were really not quite clear and which to a certain extent were really confusing. Within fifteen minutes I cannot discuss fully the recommendations of this Dickinson Committee, on account of which we went on the wrong track. Of course, had this been referred to a Committee, I would have specifically pointed out the recommendations and implications, and how we fell into the error. This Depreciation Fund originally started as a kind of renewal fund, but later on the name was changed into Depreciation Reserve Fund and they began to build up the fund. The experience of the last eighteen years has shown that the expenditure under the head of renewal and depreciation is about Rs 8½ crores and we set aside about 12½ crores under this head, which is really much more than what we require. We ought to have deposited only 8½ crores, and not 12½ crores as we are doing. This depreciation which has been calculated at the rate of one-sixtieth of the capital at charge is much more than one in business would allow. This works out to 25 per cent. of the working expenses and 14 per cent. of the gross income. There are so many business people in this House and I ask them, will any business man allow such a percentage under the depreciation fund—24 per cent. of the working expenses and 14 per cent. of the gross income? That is a percentage which is thoroughly unjustifiable and it would not be followed in any other country. I cannot go into the details of this matter. I have got reports—they are not just here on my table, but in the office here there are reports of all the railways in the world, Continental, American and so on. I have gone into this question very carefully in the case of all railways in the world, and I have got before me statistics published for all the railways. In India only they have got these depreciation figures, and it clearly shows that we are the only country in the world which has adopted this particular policy and it is acting very badly on the operating ratio. It is a wrong principle that we have adopted, so much so that it gives a wrong figure about the operating ratio on the Indian railways. I have taken the trouble to find out the operating ratio with and without depreciation fund, and also the ratio that would result if we

[Dr. Sir Zia Uddin Ahmad.]

adopt a correct policy with regard to depreciation, that is, set aside $8\frac{1}{2}$ crores for depreciation fund and not $12\frac{1}{2}$ crores. If we continue to adopt the present policy we are giving a wrong impression about the working of the Indian railways to persons who are not familiar with the working of these things. First of all, I submit that we should revise our policy of depreciation fund; that is, instead of depositing one-sixtieth of the capital at charge we should deposit only Rs. $3\frac{1}{2}$ crores which is necessary for replacements, but with this proviso, that if in any particular year on account of war conditions or otherwise that sum cannot be spent, it should be put in a suspense account as the Finance Committee of the Railways has already recommended. That is really a sound policy, but it is not necessary to build up two reserves, depreciation reserve and also ordinary reserve. The maximum figure recommended by the Acworth Committee was 50 crores for the Reserve Fund. I think that we should have a little higher figure and have an equivalent of one year's expenditure. Some persons suggested about Rs. 100 crores. I have taken an average of the two and recommended Rs. 75 crores which is really a safe margin to be kept. So, I recommend that we spend as much money as we require for replacements and renewals, and the experience of the last 18 years shows that we require Rs. $8\frac{1}{2}$ crores. Whatever balance is left, it should be credited to a reserve fund which should be built up till we have reached the figure of Rs. 75 crores, and any sum over and above this should be given to the general revenues, because this enormous income that we have from the railways is due to war conditions, it is a tax on the taxpayers and users of the railways, and it is very desirable that this amount ought to be transferred to the general revenues.

Let me deal with the operating ratio. The percentage of the operating ratio excluding depreciation is 53 and including depreciation it is 71 per cent. Let me take the year, 1931-32. The percentage excluding depreciation is 56 and including depreciation it is 72. If we calculate on the basis of a reasonable amount for the depreciation which ought to be taken, that is, the amount which we spend in rebeval—it works out to 65·82, and 65·82 is a very good operating ratio percentage when we compare it with the operating ratios of railways of other countries in the world. The only country which was probably cheaper in running was Japan for that particular year, but we would be more economical than any other country. If we turn to the statistics given in "Statistique Internationale des Chemins de Fer Paris", the percentage given under the head "miscellaneous" has enormously increased in the case of Indian railways and very much more so as compared with other railways. If any one goes through the statistics, he will see what is the humbug in putting 25 per cent. of the income under the head "miscellaneous". The "miscellaneous" should not go beyond 10 per cent., but it is 25 per cent. in the case of our railways. Several experts of railways of other countries have put me this question, you have got such a large percentage under the head "miscellaneous". The reason is that we are putting depreciation under the head "miscellaneous", and a very big morsel of our income is put under the head depreciation. In these statistics there is no column for depreciation simply because it does not exist, and the only place where they can give this depreciation on the Indian railways is under the head "miscellaneous" because they have no other specific column for depreciation. These statistics have got different headings even for little details, but they have no column for depreciation and you shove under the head "miscellaneous" a very big sum.

Mr. T. S. Sankara Aiyar (Government of India : Nominated Official) : The Honourable Member has been saying that the depreciation fund is under miscellaneous expenditure. Will he kindly point that out? The demands are there and it is not shown under "Miscellaneous".

Dr. Sir Zia Uddin Ahmad : I am not referring to your report. I am referring to the report prepared in Paris—Statistique Internationale des Chemins de Fer Paris.

You are only aware of the Indian railways, but I have studied all the railways in the world. I can give you a report of all the railways in the world. They have got no column to indicate depreciation which your railways have got. This reminds me of the story of an Oxford gentleman who was given £100 and asked to give an account. He made an account which gave, neck-tie 1½s. collar 1s., and miscellaneous £99-17-6. This is the position of our railways as compared with that of other railways because the whole of the depreciation fund is put under "miscellaneous". In the other countries they have no column under this head. I say, follow the practice of the other countries and follow what everybody else is doing. Why adopt a new method and cheat the taxpayer? I tell you why I call it cheating because the Finance Member may put me the question. When the Tariff Board Committees go into the question of how much money is to be set aside for depreciation, the company says that a large amount should be set aside, but the Finance Member says, "No, it will be cheating the taxpayer and the Finance Department. Put what is reasonable". But here they put a very good morsel under the head depreciation fund and the balance that is left is called surplus, but that is a smaller surplus because of the larger share put in the depreciation fund in a wrong manner. If my suggestion is adopted, the share of surplus will automatically increase and we get four crores more which is wrongly and incorrectly put in the depreciation fund.

Now, the other point I should like to make is that this thing is unnecessary, because it complicates the financial issues. I can point out certain 12 Noon. figures and it will be very difficult to decide whether that particular expenditure should be put under depreciation or under revenue or under capital. I challenge any financial expert on the railways to tell me under which heading it should be classified. Different experts will have different opinions on this point and this difficulty has arisen on account of the wrong system of accounting and your wrong policy. You should follow one simple principle and it is this. If any expenditure brings you income, it should be put under capital expenditure. If any expenditure does not bring any income, it should be under the head revenue. This simple test should determine under what head the expenditure should be classified and you do not require any expert accountant to tell you under which heading the expenditure should be shown. The system that you follow is really like putting a third wheel to a bicycle, which will only retard its smooth running. You may say it is safe but it is really clumsy and it retards the progress of the wheel. So, this thing is unnecessary.

The next point is this. Take the example of a pair of boots. Suppose I purchase a pair of boots. I keep a very good account. I borrow from capital or revenue or from depreciation. I buy it for Rs. 32. The normal life of that boot is 8 years. I set aside Rs. 4 from my general revenue for depreciation. After three years, it wants re-soleing. I thought that if it is re-soled, its life will be increased still further. The value of that thing will not go up, because even if it is repaired, it cannot bring in more money. It will be very difficult to decide whether I should take the amount from depreciation or capital or revenue. Suppose a line is abandoned. They have not yet made up their mind as to under what head it should be shown. The reports that they have are very contradictory. One committee says one thing and another committee says another thing. Some people say it should be met from reserve, some say partly from depreciation and partly from reserve, while others say it should be paid from the revenue account. This confusion has also arisen from wrong accountancy. There is also this wrong method of creating a depreciation fund. I, therefore, request that we should in the first instance revise this wrong policy of the depreciation fund. This four crores which will be released from the depreciation fund will come to the general revenues. During the war, we want money very badly for our successful prosecution of the war and we allow only as much to the railways as is absolutely necessary. For example, they should

[Dr. Sir Zia Uddin Ahmad.]

build up a special reserve in the name of the suspense account, to bring in their replacements and renewals, as soon as the war is over. That is permissible, and that which remains over and above what is required for the railways should be given to the general revenues. That is the policy which we ought to adopt and follow, and the system by which we have built up the depreciation fund should disappear altogether.

The other point which is also very important is what should be the maximum value of this Reserve Fund. This is a thing which you cannot discuss by means of speeches in this House. It will have to be carefully calculated and considered in greater detail and it is for this reason that I have suggested the formation of a small committee which should read the arguments of the Dickinson Committee and other committees. In the policy we adopt, we should also bear in mind the years of depression that may follow after the war, just as we had from the years 1930 to 1935. We must make provision for that. This thing has got to be very carefully considered. I myself propose 75 crores roughly in one of my amendments but I feel myself that you cannot give a definite figure in an extempore manner. That is not fair to the House and not fair to the general revenues and not fair to the railway administration itself. The first thing that I should like the committee to consider is our policy of depreciation fund. I think we are not fair to the general revenues by setting aside unnecessarily, against the practice of all other countries, an additional amount of four crores every year, which ought to be released to the general revenues. We ought to build up a reserve fund and anything over and above that should go to the general revenues.

The third point I should like to be considered is that we are bound by the Convention of 1924 to pay back the arrears to the general revenues but we are not bound to pay back all the money that we have taken up from depreciation. My friend may say "No, the depreciation fund should be used only for depreciation". I remind him that it is called depreciation reserve fund. If the money is wanted for other purposes, you can fall back upon this fund, because it is not depreciation fund. It is also called depreciation reserve fund. Just as many people keep two accounts, one for the income-tax people and one for themselves, here you have the depreciation fund which you cannot touch and the depreciation reserve fund which you can touch but practically speaking both of them are the same. We say that some portion of the reserve fund ought to go to the general revenues. In a small speech on the floor of the House, I cannot say what should be the actual value of that. We will have to go into that carefully in the committee. I assure my Honourable friend that we have every sympathy with him. We want to build up our railways on a solid foundation. We are anxious to help the general revenues during the war to our maximum capacity. At the same time we should now build up a sound system of finance, at a time when you have plenty of money. When you are under depreciation, you will have no money. This is the proper time to build up a sound policy. I beg the Honourable Member to take a careful note of all these points and not to hurry the Resolution. I ask him to refer it to a committee of this House.

Mr. Govind V. Deshmukh: The Convention which is sought to be modified by this Resolution is mentioned on page 3869 of Vol. IV of 1924 of the Assembly Debates. It will appear from a perusal, there was an idea of fixing up a definite and regular figure, so that the railway finances as well as the general finances may be built up on proper lines. With that view, they proposed this Convention and it will also appear from the perusal of that Convention that there was no such idea as the building up of a depreciation fund. For instance, first of all, we come to clause (2) which gives us an idea as to how the surpluses of the Railways should be allocated towards the general revenues. In clause (3) we find that "any surplus remaining after this payment to general revenues shall

be transferred to a railway reserve; provided that if the amount available for transfer to the railway reserve exceeds in any year three crores of rupees only two-thirds of the excess over three crores shall be transferred to the railway reserve and the remaining one-third shall accrue to general revenues". In clause (4) we have it as to how "the railway reserve shall be used to secure the payment of the annual contribution to general revenues; to provide, if necessary, for arrears of depreciation and for writing down and writing off capital; and to strengthen the financial position of railways in order that the services rendered to the public may be improved and rates may be reduced". These were the principal ideas which guided the framers of the Convention then.

Now, Sir, we had a forecast of this Resolution in the speech that was delivered by the Honourable Member. In paragraph 18 of his speech he said:

"The main question is whether the proposed allocations to railway reserves are adequate."

That is the crux of the whole thing:

"In an attempt to assist general revenues, are we being generous at the expense of railways? On the one hand, we must consider particularly the provision of adequate funds to cover post-war rehabilitation and to meet our interest charges in periods of depression and, on the other, the plight of the general tax-payer."

Now, it will be seen from the figures that I propose to give that larger amounts were being contributed to general revenues; if it was so, why should a Resolution like this be brought at this stage? For instance, in the year 1925-26 the Railways were contributing, in round figures, 6.7 crores. In 1941-42 the Railways contributed 20.17 crores and in 1942-43 they contributed 20.13 crores. Evidently, the general revenues are getting more and more slices out of the surpluses. If that is so, where is the necessity of giving more money to the general revenues? I do not say whether they should get or not but a case has got to be made out. It is a matter for inquiry. When they are not borrowing any money and they have cleared their debts due to depreciation fund and when they are meeting other expenses and making surplus profits, why is it that they want to make an arrangement by which a larger portion should be contributed to the general revenues? For that they must give us reasons.

The Honourable Sir Jeremy Raisman (Finance Member): Does the Honourable Member realise that the latter figure he mentioned in relation to the year 1942-43 is only arrived at by going beyond the scope of the Convention?

Mr. Govind V. Deshmukh: I am merely saying that reasons are to be given for making this change. I am not saying that you may not be needing this money but we cannot gather how you have arrived at this figure. How do you say that in 1942-43 you will require so much amount? You are anticipating things. You should give us reasons and we must sift them. I do not say that you have no basis to arrive at a particular figure and even in this particular Resolution you say that you wanted a definite figure. You merely give a proportion of the surplus—75 per cent. to go to the general revenues and 25 per cent. to the reserve fund, but why not more for the reserve fund and less for the general revenues? I am merely suggesting that these are matters which must be gone into. You must explain why and how you have arrived at this figure.

Having said that much, let me say one or two things which ought to guide us. In 1924-25, when this Convention was being debated, there was a suggestion from the popular side of the House, as it was then constituted, that a larger share of the surplus should be utilised towards the general revenues and the then Member in charge, Sir Charles Innes, said, "No, we should not have a larger share for the general revenues". Why? He answered, because you would not be in a position to reduce the rates. He said, "We do not want to tax transport and it is the policy of the Government that the fares and rates should be reduced". If we go through all those lengthy discussions, this will be apparent. Now, how is it that when the popular side were prepared to make an offer that a greater share of the surplus should be utilised, the Honourable

[Mr. Govind V. Deshmukh.]

Member in charge then said "No"? It shows that there is another side to this question also, namely, when you are earning more money, the rates and freights should be reduced. You cannot ignore this.

Now, Sir, it was said by the Honourable Member that although we have got this surplus, it is not advisable to reduce the rates and freights. His exact words were: "There would be no change in the fares and rates". Those are not the words which bring cheer to us. As a matter of fact, those words depress us. From the point of view of the agriculturist you have got to consider whether it is not possible for you to reduce the rates and fares. From the point of view of third class passengers, whose interests were very much before the Honourable Member who was then moving for this convention, we have to find out whether it is not possible to reduce the rates and fares now. This Government could very well do it but it won't. On page 9 of the Honourable Member's speech there is a reference to a certain passage in which they disclose how they were able to make large revenues. One of the reasons is the imposition of an additional charge of 12½ per cent. on fodder and food grains booked in small consignments. So, it is the poor agriculturist who is hit thereby. Is there not another point of view? Could you not consider this point of view and give relief to howsoever small extent it may be? It is desirable that all these points should be considered. Then, Sir, the rates and fares affect the Indian trade and the Indian commerce. These are the points which should also be considered while you are giving a bigger slice to the general revenues. Then, you have to consider whether a contribution of 25 per cent. to the reserve fund will be sufficient if you have to take the interests of the employees into consideration and if you have to meet the other contingencies which may arise. These are the points which must be taken into consideration. It is not enough to say that the war is on, we must, therefore, use our surpluses to help the Government and not relieve the general tax-payer. The majority of people who live in this country are poor people and their point of view must be considered. Therefore, this is also a consideration whether you should not build up a bigger reserve than 25 per cent. to which you refer. I am suggesting all this with the idea that you should take into consideration all these things, because you propose to give 25 per cent. to the general revenue and 25 per cent. to the railway reserve.

The passage to which I was referring is also to be found in paragraph 15 of his speech where he says that "it is proper to mention that we are not contemplating any general change in the existing fares and freights, next year". We should desire you to contemplate a change in order to reduce it. My Honourable friend, Dr. Sir Zia Uddin, has already touched this question about the depreciation fund and so I will not refer to it in my speech.

These are the points in short, namely, that you cannot, unless you go through all the facts and figures, approach this question from all points of view and you cannot fix up a ratio of 75 and 25. It is, therefore, very necessary that this question should be thoroughly gone into by a committee of the House.

Sir F. E. James (Madras European): The division of opinion is, I think, really not so much on a matter of principle on which we agree as on the time and manner of its application. The Honourable the War Transport Member will realize that the burden of the speeches both of the learned Doctor and of my Honourable friend who has just sat down is that the railways should be put on a sound financial basis, and with that object we have every sympathy. In fact that has been the burden of our speeches during recent years. Therefore, all agree with the necessity for revision. The only disagreement is as to the time and manner of that revision. I think the suggestion made by my Honourable friend, Dr. Zia Uddin, of appointing a committee of the House is not, if I may say so, the best method of tackling this problem at the moment. Obviously, the House

must examine any proposal for revision which may come before it; but examination by the House should come at a later stage. In the meantime the War Transport Member will, I hope, not go away with the impression that we would like the whole question to be left till after the war. On the last occasion on which I spoke on this subject on behalf of my Group I requested that an investigation should be undertaken even during the war, so that at the end of the war railways should be able to face the new conditions in a reasonably strong financial position. Therefore, the suggestion is that investigations should go on. They must in the first place be of a technical nature. Very few Members of this House, possibly with the exception of Dr. Zia Uddin himself and the Financial Commissioner, are competent to undertake the technical investigation which is involved in all matters relating to the depreciation fund. There is the question as to whether the present principle of allocation has not become out of date with the increased depreciation as a result of the excessive use of railway assets during war time. There is also the question as to what size of reserve fund will be required and whether there should not also be in addition to the depreciation and reserve fund a betterment fund. As these are matters which raise very important financial questions, they should in the first instance be gone through by technical and financial experts. Therefore, I hope the investigation that will proceed between now and the end of the war will be undertaken by the Financial Advisers and experts who are attached to the Railway Board, and any others who may be invited to assist the experts in their examination. When these investigations have reached a certain stage where they may issue in specific recommendations, then this House should be, as soon as possible, seized of such proposals.

I do not for a moment suggest that the Committee proposed by my Honourable friend is not extremely good one; but I find that there are already Committees of this House and of the Legislature the services of which should be utilized for this purpose. The recommendations regarding the financial clauses of the Convention might, I suggest, be considered, in the first instance, by the Standing Finance Committee for Railways. That is a committee of the House. If my Honourable friend, Dr. Zia Uddin, wants a good committee—a motion will be brought before the House shortly for the election of members from the various Parties for that committee. Other matters should be considered by the Central Advisory Council for Railways, which again is a committee representative of the Legislature. I hope very much that the learned Doctor will find himself an elected member of both these Committees. I am quite sure that his profound knowledge will be of great value when we come to discuss this question.

Dr. Sir Zia Uddin Ahmad: In 1924 when the subject was examined by the Railway Standing Finance Committee and the Central Advisory Committee for Railways, the House appointed another Committee to examine the whole question.

Sir F. E. James: Of course at that time. I do not suggest for a moment that the only body fit for the examination of this question should be the Standing Finance Committee for Railways. When proposals come before us, naturally we may wish an *ad hoc* committee to consider them. But now is not the proper time. I do not think we actually differ on principle; we all agree that revision must come and we ask that that revision should come for examination by this House at a later stage.

Mr. Lalchand Navarai (Sind; Non-Muhammadian Rural): Why not now?

Sir F. E. James: I am afraid my Honourable friend has not followed. It is very difficult for me to convince him. The point is that the matter has not yet reached the stage where the examination by a Committee of this House would be suitable. That is my point. You may disagree with it, but that is my point. I suggest the House would be well-advised to accept the motion as an interim arrangement now and request the war Transport Member to assure the House that he will proceed with the investigations on the lines I have suggested and when these investigations reach a certain stage when they may issue in recom-

[Sir F. E. James.]

mendations is that he might place them before the two committees which are already parts of ordinary procedure and machinery of this House for considering these matters.

In conclusion I repeat that everybody is anxious to put the railways on a fair basis and we, particularly, are not anxious that we should be confronted at the end of the war with a situation in which preparations which should be considered during the war will not actually be ripe for being put into effect at that time. I agree there must be give and take on the principle as between the railway and the general budget. I, therefore, hope that the House will accept this Resolution and not insist upon the amendment moved by my Honourable friend, Dr. Sir Zia Uddin Ahmad.

Mr. Govind V. Deshmukh: May I ask on a point of information whether this proposal that is put forward before us today in the shape of a Resolution had the support of the Railway Standing Finance Committee? Was it placed before the Railway Standing Finance Committee?

Mr. T. S. Sankara Aiyar (Government of India: Nominated Official): No. For the information of the House, I may just mention that the manner in which the surplus was to be divided both for this year and next year was fully explained to the Standing Finance Committee for Railways. But all the members reserved their opinions regarding that method. They did not want to commit themselves to any definite view. They merely agreed to the demand being placed before the Assembly, and did not express their views regarding the manner of division of surplus.

Pandit Lakshmi Kanta Maitra: Is it not a fact that the Standing Finance Committee for Railways was not given the slightest indication. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will have his turn to speak.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I rise to support the amendment moved by my Honourable friend, Dr. Sir Zia Uddin Ahmad. Of course, we hold to the pious hope that the Honourable Member for War Transport will see the advisability of acceding to the unanimous wishes of the elected section of the House. My Honourable friend, Sir F. E. James, has agreed on principle to the examination and revision of "Convention" by a committee of this House, only making a comment in the sense that he thinks that primary investigations should be made before the matter should be brought before the House. Whether those investigations could be made during the deliberations of the Committee or not is a matter in which we beg to differ from Sir F. E. James. So, I am justified in saying that this is the unanimous wish of the House that the proposals as placed before us should be examined by the Honourable Members of the House through an elected committee. They should be given an opportunity to look into the provisions and the implications of how and where we will stand. We, on this side of the House, are certainly anxious to see that our railways work on sounder basis and are able to have a sound finance, but at the same time, we are equally anxious to see that the general exchequer does not suffer. These are high technical questions of Financial adjustments in which close study and closer deliberation are absolutely necessary. To come before the House with a Resolution and then ask us to give sanction to it is something which probably Honourable Members on the Government Benches will understand has not been the parliamentary practice in any country, including the House of Commons of England even in these difficult days of war urgencies.

Now, Sir, I know it will be a voice in the wilderness which will not probably go beyond this guilded House. I hope and trust that Government would not disappoint the non-official elected Members even in such matters, as I believe the Government has no desire to keep anything secret or do anything behind our back. If Government has no such desire, then certainly there is no reason why they should not allow Honourable Members of this House to contribute to the

discussion after they have fully studied and surveyed the principle underlying this Resolution. We are trying to decide whether the entire Convention of 1924 should be revised for the interim period of war or only the part which is embodied in the Resolution of the Government. Certainly we can make our recommendations for conditions during the war and the interim period which has been referred to by the Honourable the Member for War Transport after a brief examination. That is the point which I wanted to impress on the Government in support of the amendment moved by my Honourable friend, Dr. Sir Zia Uddin Ahmad.

Reference was made by the Honourable the Financial Commissioner for Railways to what took place in the Standing Finance Committee for Railways. The point is that we, as members of that Committee, reserved our opinions, particularly realising the implications and knowing that we were not in a position to decide such vital issues without consulting the opinions of all other members of our own Parties. Without consulting the other members of our Parties, we did not consider ourselves competent at that particular time to give expression of our views in a haphazard manner. The Honourable the Financial Commissioner should have easily seen what our feelings were in so reserving our rights on that particular issue. Certainly we understood that we would be taking too much responsibility in saying, 'yes' or 'no' to the proposal which was placed before us without sufficient data or materials.

The other point I want to discuss is this, whether it is necessary or not to have a third Committee. The Standing Finance Committee for Railways is particularly meant to look to the interests of railways and railways alone, and to administrative matters involving expenditure and receipts of Railways. The General Standing Finance Committee is to look to the general position of the exchequer of the whole country. So, I do not suppose that any one Committee, individually and separately, would be competent to do justice to a matter like this, unless both the Committees are one and the same or a third Committee of the House is appointed which would look to both side of financial adjustment the general exchequer and also the railway exchequer.

Sir, I do not want to take much of the time of the House in describing what has been the position of the railways in this country. We have always taken the stand, at least the Government made us believe that railways are also of public utility service, and as such we have got to look into the issue as to how much it has proved to be of the class of public utility service. The Honourable the Member for War Transport in moving his Resolution said that the earnings of the railways in 1942-43 revealed an addition to the revenue of only about 6½ per cent. from the general public, excluding earnings on war transport movements. This is admittedly another issue, a more complicated question whether you want to turn out your customer who pays you or you want to offer them facilities. You put all sorts of obstacles and difficulties in the way of your customers who pay you. Of course, I do not want to dilate on that issue at all at this time.

Now, Sir, I come to the question of finances that may be involved after and during the war. Reference was made to depreciation fund and reserve fund. Sir F. E. James, referred to a third fund, the betterment fund or something like that. Dr. Sir Zia Uddin Ahmad said he would like to build up a reserve fund of 75 crores, but nothing of depreciation fund. He also tried to prove that that was the practice over all the railways in the world. He further said that reservation of 12½ crores in depreciation fund was not justified and that depreciation fund should have been only about eight crores. However, personally I am not yet decided in my mind, whether I can agree to the financial adjustment suggested by Dr. Sir Zia Uddin Ahmad. So, that only shows the extreme necessity of Members of this House for making a closer study before coming to a final judgment and certainly after seeing all the implications which are involved. The Honourable the Finance Member or the Honourable the Member for War Transport may feel and even rightly that whatever proposals they have brought

[Mr. Muhammad Nauman.]

forward are absolutely correct we may also come to the same conclusion in the end. But, why not give us an opportunity of studying the papers and recommending you in a manner which may be absolutely on the same lines as you want us to do now. We may come to the same decision at which you have arrived after probably a more closer study of things than we have had time to do. With these remarks I support the amendment to the original Resolution.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): Mr. President, Sir. It might be considered rather audacious on my part to speak on this Resolution as I am by no means an authority on Railway finance, but after the speech of my Honourable friend, the Doctor, as he is called in this House, I feel that we are rather at cross purposes. My Honourable friend has been attacking the Convention of 1924

Dr. Sir Zia Uddin Ahmad: The manner in which it was given effect to; not the convention.

Sir Cowasjee Jehangir: At any rate, he appeared to me to be attacking the convention as something quite extraordinary and not in conformity with the practice in any other part of the world. The convention was adopted in 1924 and unfortunately, my Honourable friend was not a Member of this House in those days.

What we ought to be discussing, is the variation in the convention for the time being, which is suggested by the Government, and although I was trying to learn what I could from his speech I was not able to follow as to what specific objections he had to the changes that were proposed by Government only for the duration of the war. Four changes are suggested: The first and the most important is that more money should go to general revenues than is allowed by the convention. Let me point out that in war time most conventions go to the wall. I do not know of any conventions that can stand in war time, certainly conventions of such financial importance as the convention of 1924. So, as I have said, the first proposal is that more money should go to the general revenues than is allowed under the convention.

Dr. Sir Zia Uddin Ahmad: My suggestion is that more money ought to be given. This is not enough.

Sir Cowasjee Jehangir: The second is that the responsibility to pay a certain amount to general revenues in ordinary times should be omitted from the convention for the time being: that is to say, the Railways should be relieved of the responsibility to pay to general revenues when bad times come.

Pandit Lakshmi Kanta Maitra: It does not say that.

Sir Cowasjee Jehangir: If I am wrong, I will be contradicted by the Honourable the Mover of the Resolution.

The third part of the Resolution is in regard to the arrangement for 1943-44, and the fourth sets aside the convention completely during the period of the war. These are the four proposals that are placed before us. Now, if my Honourable friend wants more money for general revenues during the period of the war

Dr. Sir Zia Uddin Ahmad: This is just what I want.

Sir Cowasjee Jehangir: he can move an amendment that Rs. 2,35,32 thousand is not enough, and we can understand what he wants and, therefore, vote with some clear conscience as to what we are doing. If he considers that the Railways should continue to bear the responsibility of contributing to general revenues even in bad times, he can say so and move that No. (ii) be omitted. If he disagrees with the proposal for 1943-44, let us know how and where. And the last, putting aside the convention altogether and leaving it open to the Government to make proposals for the years following, is, I consider, the most important. It practically gives the Government a free hand for the future.

There is one point: Such matters cannot be considered by a Committee such as proposed by my Honourable friend. You want a Commission appointed

to be able to arrive at definite conclusions with regard to how this convention should be amended for the future. It cannot be done in war time. In war time all you want is more money for general purposes and that is what is proposed. You cannot possibly ask for a Commission to be appointed in war time, and I do not think that this matter can be considered usefully by the executive of the Railways and a report made to this House—it will not be good enough. You will have to get experts from other parts of the world and you cannot do it now. If this convention is to be considered on its merits, as it ought to be—I will repeat my words—it can only be done by experts from other parts of the world with knowledge of all Railways. You want another Aeworth to come out to this country and then the Government, the public and this House will be in a better position to realize how this convention ought to be changed.

Dr. Sir Zia Uddin Ahmad: May I ask one question? I have suggested in another amendment that 18 crores odd shall immediately be transferred to general revenues and there should be no fresh taxation.

Sir Cowasjee Jehangir: The Honourable Member has not moved that. I am confining my remarks to the amendment suggesting a committee to examine the question. I am not in a position to discuss the second amendment—I do not know what it means, nor do I know its implications. What I can make out from his remarks is that he wants the Reserve to be built up to 75 crores and then take the balance—I must say I do not understand its implications. But there is one point which I think is of considerable importance and that is, when this convention was adopted in 1924 and ever since then, the Honourable Members responsible for this Department have been informing us that one of the objects of this convention is to give facilities for the travelling public and to trade and commerce. So far as I can make out, when we have had bad times—and I have been in this House during the worst times—rates and fares are put up because we had bad times and we wanted more revenues. And then when you have surplus revenue, when you are making greater profits than you ever dreamt of, you put up the rates and fares because you want to discourage the public from travelling. Well, when is the public going to get any relief, I ask for an explanation.

The Honourable Sir Edward Benthall: I think I said in the general debate that we have not in the past, as far as I remember, put up rates for the specific purpose for discouraging traffic.

Sir Cowasjee Jehangir: Then for what did you put them up?

The Honourable Sir Edward Benthall: I have not put them up this year.

Sir Cowasjee Jehangir: Not this year. But I know I am paying much more to come to Delhi than I did before the war.

The Honourable Sir Edward Benthall: I think the Honourable Member can travel third class the same distance for a rupee as he could have done before the war.

Sir Cowasjee Jehangir: At any rate, rates and fares have been put up. Besides I confess, I am not an authority on the subject. I know that rates and fares have been put up. The Honourable Member has been good enough to say that they are not going to put them up this year. Then when are the public to get any relief. That is a point which the Honourable Member will have to consider. By all means take the surplus to general revenues in hard times. Break the convention by all means. Also, if you like, relieve yourself of the responsibility of paying to the general revenues in the future for the time being. Make these temporary changes. Such changes have to be made in war time. You cannot help it. As a matter of fact, considering the issue from a wide aspect this is a domestic question—railways and general revenues. They were not separated before. Making a change during war time is not only necessary and essential but it is something that is not exceptional either. I would, therefore, urge that the Resolution be passed: that Government be urged as soon as possible to look into the matter of the convention more seriously than suggested by my

[Sir Cowasjee Jehangir.]

honourable friend, Sir Frederick James, by getting in experts, by appointing a Commission, if necessary, to see how this convention can be amended. My own view is that during war time, and even immediately afterwards, conditions will so change that an investigation may not be appropriate. You must wait for more stable conditions. You must wait to see how conditions are immediately after the war. You may appoint, as my Honourable friend, Sir Frederick James, said, a committee to investigate. They may report and by the time the report is out the whole circumstances may change, the whole conditions may change in the world and the report will be out of date before it is printed. I have known of such cases in just as important matters as this, where committees' reports have been antiquated before they have been printed because circumstances have completely changed in the world. Therefore to ask just now for a committee of this House to consider an amendment of the convention is, I think, asking for too much, and asking for something from which neither the public nor the Government, nor will this House benefit. Government are laying down here very strictly what they are going to do. Control we have never had. You will have less control as long as all those Benches are empty. So it is our own fault that we have no control, or that we have much less control than we ought to have. But let us exercise such control as we are able to. Therefore, I would suggest, as far as I am concerned, that this Resolution be accepted for the time being. But I admit that I do not like the last clause which gives a very free hand to Government for the years that follow. As a matter of fact the last clause practically knocks the convention on the head. I will just read it.

"For subsequent years and until a new convention is adopted by the Assembly, the allocation of the surplus on commercial lines between the railway reserve and general revenues shall be decided each year on consideration of the needs of the railways and general revenues, the loss, if any, on strategic lines being recovered from general revenues"

The Honourable Sir Edward Benthall: By the House.

Sir Cowasjee Jehangir: Yes, yes. But we know what it means "by the House". It means "by Government" with the House as it is. Therefore, I would suggest to the Honourable Members on the Government Benches that when further changes are made more time may be given to the public to consider them and that this House should also be given a little more time than on the present occasion. I quite agree that just now we are in war times and budgets have to be framed. Right or wrong, we have to accept it. But in future, after the next year, I do hope that this matter will be given more serious consideration and we shall have more facts and figures placed before us, and that we shall have some sort of report from people who are in a position to express an opinion, and also that it may be laid before us so that the public can also judge on the merits of the proposals.

Dr. Sir Zia Uddin Ahmad: Does the Honourable Member agree that they should not hoard money by increased rates and fares, but that this hoarding should be transferred to general revenues?

Sir Cowasjee Jehangir: My Honourable friend has his own opinion on the matter. I have none. But if he has an opinion, and it is very definite, let him move an amendment to clause (i) and ask for more.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member ought to go back to his seat.

Mr. Lalchand Navalrai: Sir, there are three motions before this House at present. One is the Resolution itself, asking that the old Convention should terminate to an extent, and instead of it four clauses have been suggested in the Resolution which should be adopted. Then, Sir, the second motion is with regard to the postponement of the consideration of this Resolution, and that a Committee of this House be appointed to consider the question of the Resolution. The third motion is that a certain lump sum be passed over to Central revenues. Sir, I am not in favour of this Resolution being passed

without full and sufficient consideration. Sir, I am a member of the Railway Finance Committee, and I must say at once that the Railway Finance Committee has not considered this question at all. It was reserved for the House to consider. My friend, Sir Frederick James, was also a party to this question being reserved for the House. I am very sorry to see that now he is not of the opinion that this Resolution should first be considered by a committee,

1 P. M. but should be passed forthwith and then during war time—unlike the Honourable the Railway Member who wants it to be considered after the war—it should be considered. If his suggestion is that it should be considered by the Finance Committee or the Railway Advisory Council first, the position is this: that in the Finance Committee we were not considering it because we thought that a committee of this House will consider it better. . . .

Sir F. E. James: May I just correct my Honourable friend on one point? Actually in the Standing Finance Committee the question of appointing a committee of this House was never discussed. When the matter came before us, we had no time to consider it and therefore we thought that it was much better that the matter should come before the House, when Members would be free to give their own views.

Mr. Lalchand Navalrai: That did not mean that we are barred from making this suggestion for a committee. There was no question of making any suggestions in respect of a committee or an expert. We did not consider it there. But we suggest here that the Finance Committee also has not considered this very important Resolution and to pass it forthwith will be absolutely wrong. This question is a very important one. It is technical and it affects the efficiency of the department and the facilities given to the public. If we act according to the suggestion of Sir F. E. James and pass the Resolution now and investigate later, it will be something like putting the cart before the horse. We have not considered the matter at all, and we are groping in the dark now; and we are told that the matter should be investigated later on, after passing the Resolution. The Honourable Sir Cowasjee Jehangir does not also like executive consideration—he wants an expert to consider it. This is a very important matter. When a Convention so very deliberately arrived at after so much consideration is going to be terminated and another Convention is going to be made, it is too important even to be considered by an expert. But if it is considered that an expert or a commission will take a very long time, I can understand that. But what reason has the Honourable Railway Member to say that a committee should not be appointed? Why do the Government want to shirk a committee? They want us to give sanction forthwith to their proposals. They say no doubt that there will be an investigation after the war, but under the excuse of war we should not give away all the rights of the public and even our rights. If you bring forward war as the reason, then I say, close the House, close everything. Think only of one question, winning the war. Do not attend to any kind of legislation or anything. Things are going on, the administration is going on; legislation and many other things are being done you are appointing standing committees; and why should not this question be considered by the members of the House, in a committee and not at once? Therefore it would be only wise on the part of the Government and the Railway Member not to be in a hurry like the Americans—who as I see are always in a hurry and don't mind tumbling down. There should be no tumbling down on this question—I do understand that the war effort has to be helped and the Central Government should be given money for that purpose; but we should not ignore the efficiency of the railways or the facilities to the people or the welfare of the travelling public. These things are now being shelved more or less. You say only "Look after the war." We say, "Give the surplus 22 crores next year to the railways". There will be 22 crores balance which will do so much good to the railways in the way of providing facilities and amenities to the public.

[Mr. Lalchand Navalrai.]

In these days, you should not squeeze money out from all directions. You should keep the public happy and give them some facilities. Look at the inconveniences they are having to suffer now; we do not even have proper water facility in the toilet rooms: there are no proper catches: a piece of wood is plugged to the tap and once it is taken out, all the water goes down and the tank is emptied. I merely say this: do not be in a hurry. Agree to the amendment moved that a committee should be appointed and this question considered from all points of view. It comes to this now, that we cannot wait for an expert, we cannot wait for a committee; we have to consider it ourselves straightaway and we do not know whether we are doing the right thing or the wrong thing—you are not giving us time to consider. This House is very thinly attended and you want us to pass it now, forthwith. Do not do anything that will not be creditable to the House or the Treasury Benches. We have our responsibility to the public and our constituencies. What will they say if we do as you ask us? We have given away everything: we have given away all the surpluses and everything to the Central Government, and still everywhere you are putting us to all kinds of inconvenience and giving us no facilities. The position is this: this year we have 36.28 crores, and the contribution which would be otherwise given—1 per cent.—will be 5.14 crores, and the arrears of contribution will be 12.65 crores; that is being given because there is a debt payable to the central revenues; then we also give 2.36 crores and that is a gift. This was a question which came prominently before the Finance Committee. We say, we are not going to make a gift now. You have been giving gifts, and even beyond the convention, you are giving 2.36 crores, without any consideration. Next year the surplus will be 36.4 crores. They will take Rs. 27.9 crores, leaving a balance of Rs. 8.93 crores. Otherwise, if we carry out the convention in a reasonable manner, we shall have to give only Rs. 5.15 crores, and the balance will be 22 crores. That would be available for improving the conditions of the railways. What I would say is this. Instead of giving away 22 crores next year, give 5.15 crores as required by the convention, and then, unless you agree to a committee—let a committee be appointed and go into this question. If they say, give more, and so much will be available to the travelling public, that would be a more reasonable procedure. But to say, no, whatever we have thought of as necessary administratively or executively, should be done, —I do not think the House should agree to that. Then we find so many items which are required and necessary, which should be attended to by the railways. After all, the railway is a public utility service and you should first of all give some help in the reduction of rates and fares. Rates and fares have been increased several times. No doubt when there were deficits, it was necessary that there should be some increase in rates and fares to help the railways.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up. The House stands adjourned for lunch till half past two.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Syed Ghulam Bhik Nairang (one of the Panel of Chairmen) in the Chair.

Mr. T. T. Krishnamachari (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, I rise to support the first amendment moved by my Honourable friend, Sir Zia Uddin Ahmad. The main operative portion of the Resolution that has been moved by the Honourable the War Transport Member appears to be clause 4 and, according to this clause, what the Government seems to want the House to do is to agree to allow the question of settlement of surpluses in the railway finance to remain in a fluid state. The key-note of the speech made by the Honourable the War Transport Member in introducing the Resolution seems to be—we are not in a position to make up our minds with

regard to the needs of the future. In fact, Sir, a challenge was put forward by him, if I heard him correctly, to the Members of the House, to this effect—who is there bold enough to say that such and such is the line which we should take in this matter. Reading the speech of the Honourable the War Transport Member, when he introduced the Railway Budget, one seems to get an inkling as to what was passing through his mind. He said at that time that the question was one of conflict of interests between railway finance and general finance. Apparently, the Honourable Member is unable to resolve the conflict in his own mind and I am thankful, speaking for myself, that he did not suggest that such Members of the House as sought enlightenment with regard to the solution of this conflict should have recourse to an astrologer, following the example of a colleague of his who made a similar suggestion in this House some time ago. If astrology can solve our problems, everything will be very easy but it does not look as though it can really solve our problems.

Sir, I must say that I was not particularly impressed by those speakers who sought to support the Government motion and sought to decry any question of the examination of this position by a committee of this House. At any rate, their attitude did not seem to be consistent with the self-respect of the House, however depleted in numbers it might be. Sir F. E. James who, I believe, has been taking a great interest in the question of the Railways for a long time past had moved a cut motion the other day asking for a four point programme on the part of the Administration in regard to the question of reconstruction and it seems rather a matter of going back on his own wishes—subjugating his desires to the needs of the moment when he rises today and says “Well, the matter need not be examined at present and the Government Resolution could be accepted”. I was not aware of what the Honourable Member, Sir F. E. James, mentioned in his speech the other day, because I was not in the House, nor did the newspapers give us the benefit of what he said, but since one understands that Members like Sir F. E. James have been all along wanting a clear and definite policy on the part of the Government with regard to the future of the Railways, I fail to see how he could accept a position so fluid as is suggested in clause 4 of the Resolution that is before the House. Another member suggested that this is not the time for us to go deeply into the question and he said “We had better accept the Government’s position”. At the same time he criticised the nature and contents of clause 4 of the Resolution. I refer to Sir Cowasjee Jehangir. That Member said that in war time conventions have got to be overruled and that everything should be done in order to strengthen war effort and perhaps according to him the only guiding principle in war time is necessity. Well, it may be that he is a follower of that old adage—everything is fair in war and something else. But I do not suppose that we can accept that position, which, I believe, indicates self-pity that we are not in a position to decide a matter which is of vital importance to us. I do not say it is possible to be perfect or even to be correct in making a decision but a decision has got to be made and a decision cannot be postponed indefinitely which is what the Government are asking us to do. But is the matter at all such plain sailing as it is indicated to be? Is it merely a matter of the War Transport Member not being able to make up his mind with regard to the future? Surely, Sir, he does not belong to the bureaucracy which lives from day to day and cannot visualise the future and its needs. He was a businessman. He was accustomed to making estimates. He has knowledge of accountancy. He is aware that one might be wrong in his estimates but he cannot deny that estimates have got to be made even in the running of a business. I would have accepted such a proposition coming from a member of the bureaucracy as having some validity but it is surprising to me that the War Transport Member who was a businessman should ask the House to believe that he cannot make up his mind and so refuse to give us some guidance with regard to the future needs of railway finance and general finance. It may be that we in this country are accustomed to see the ghost everywhere, the ghost of a political objective in the background, some reason

[Mr. T. T. Krishnamachari.]

which the government do not want to disclose to us. Is there any substratum of truth or fact in the supposition that I have dared to make? I would like the War Transport Member to tell us frankly whether he would not take a decision because other considerations, political or otherwise, will come into play and influence the result at a time when the decision has got to be taken.

About the objection to the amendment of the European Group in this House I can only speak from history, because I have not got first hand knowledge. They have always stood for strengthening institutions. Their mentality is such that they are fond of institutions which they feel should be supported at any cost and no revolutionary departure ought to be made with regard to the handling of institutions and perhaps it is that failing or virtue on their part that has made them friends of railway finance all the time. Reading the debates in the Assembly in 1924 and before, one finds that the European Members have been very strong in supporting the convention, in supporting the proposal that the railway finances should not be depleted for the benefit of the general revenues and that the contribution to the general revenues should be restricted as far as possible and today, I cannot understand why those people who habitually support institutions do not really think of the welfare of the Railways. Here is a proposal which according to clause 3 wants the major portion of the surplus to be given away to general finance. Surely, that is not in accord with the usual principles that are supported by the European Group. It may be that they made this exception because they feel that the war effort and the general revenues which support the war effort need this additional contribution from the railways.

Sir Basil Blackett, speaking in 1924, cautioned the Members of the Assembly that if they won't accept the convention and if they want more contribution from the railways, then they will be depleting their own assets. It looks as though today the large amounts of money that we are taking off from the railways to the general revenues is a process of depleting our own assets. It may be there is need for this money but needs are met in several other ways. I daresay the Honourable the Finance Member is clever enough to meet the needs of war effort though there may be a deficit of 100 crores. After all, the threatened deficit need not always be met by the depreciation of our assets. I would like to remind the House to take into account what happened at the end of the last war and similar circumstances are likely to happen at the end of this war also if ever the war is to come to an end. The Honourable the War Transport Member referred to this aspect of the question in his speech when he introduced the Railway Budget. But are we going to gain anything materially by laying hands on the railway surplus and giving it to the general revenues?

I do not quite agree with the Mover of the amendment in regard to his expressed views on the question of the depreciation fund. I may not be an expert for the reason that I have not served on the Standing Finance Committee for Railways, but I feel that it is a matter which has got to be carefully examined. And if I may mention to this House, a commercial Journal of Calcutta, which, I believe, is European-owned, had made some pertinent remarks and offered a few suggestions in regard to this particular Resolution which is before us. It drew special attention to the fact that working of the Convention of 1924 was never adequately examined. But how is it that the people who represent, at any rate, the same interests in this country now seek to tell us that the question should not be examined and the Government view must be accepted. I would like to repeat that I as a Member of this House am not suffering from any inferiority complex nor am I oppressed by the fact that the Members of this House are not competent to go deep into the mysteries of the railway finance and find out what is the appropriate amount that ought to be set apart for the depreciation fund and what is the appropriate amount that should be given to the general revenues. It may be that we are not experts. That is consequential in a representative assembly direct-

ing the Finances of the country. At the same time, I would ask my friend, Sir Cowasjee, where is the need for a Commission? Commissions have been the bane of this country. A Commission composed of experts; possibly that is what the Government of India has in mind. Possibly, Sir Cowasjee Jehangir had an inkling of the fact that there will be a Commission at the end of all this. The Commission will determine what the railways have got to give to the general revenues and what not to give and probably the Commission will determine what the general revenues have got to give to the railways so that something may be done in order that the surplus we have somewhere else is utilised for the purpose of replenishing and renewing the railway system which is already creaking. I have no doubt that nobody is more intensely aware of the fact that this system is groaning and that it won't go on for long, than the Honourable the War Transport Member. In view of that intense consciousness that the system is creaking, how could you ask us to accept a Resolution like this? Do you want to keep the railways as an institution alive or do you want to leave them in miserable condition and let somebody else bear this burden? In the absence of more explicit information with regard to the motives of the Government, I am unable to believe for myself that the Government are so incompetent as not to be able to visualise what the needs of the future will be, at any rate, subject to human limitations. I maintain there can be no harm in a Committee going into the whole matter. The proposed Committee may not be an expert Committee but it is a Committee of men of common sense and common sense will certainly tell them how far to go. The opposition to a Committee of enlightened Members of this House is a futile one and the arguments advanced in support of accepting the proposition of the Government have been self contradictory and unconvincing. I do not see that any case has been made out by those speakers who opposed the amendment nor do I find any indication in the speech of the War Transport Member that the Resolution must be accepted in fact without any amendment. After all, at the end of the investigation by this Committee it might be that the members of the Committee are so hopelessly at sea that they would find that the wisdom of the War Transport Member is superior to theirs and they would, therefore, accept the decision of the War Transport Member. Such things invariably happen in Committees and it is the Government that determines the final decision. Some such thing might happen, but the country, at any rate, will feel that its representatives have been given an opportunity of examining a vital proposal because the railways happen to be a very vital portion of the country's assets, and as they would not like those assets to be ruined or depleted merely for the sake of the exigencies of the situation for the reason that the general revenues need more money particularly when the general revenues are in such safe hands that they never really need suffer for want of money because there is no lack of ingenuity on the part of those who control the general revenues.

I support the amendment for the appointment of a committee.

Pandit Lakshmi Kanta Mahtia: Mr. Chairman, Sir, this Resolution raises a very vital issue. It seeks to modify, though to a limited extent and for a limited purpose, a convention which was adopted by the Legislature in the year 1924 and which has held the ground so long. We must bear in mind the fact that for close upon two decades this convention has been at work. If, therefore, the Honourable the Member for War Transport desires us today to modify it, it is only natural for us to expect that he should make out a strong and overwhelming case for it. I must frankly admit that though I have very carefully listened to the speech delivered by the Honourable the War Transport Member, I could not be enlightened in the manner in which I liked. On a question of this nature, it is only fair that the House should be supplied with a well-docketed memorandum and relevant literature explaining the circumstances which have induced the Honourable Member to make a departure from such a well-established convention.

[Pandit Lakshmi Kanta Maitra].

Sir, two amendments have been moved to the main Resolution; but they *do not materially differ*. Both of them ask for an investigation of the whole question by a Committee of this House. There is only difference in the personnel of the Committees, but the desire of the House, at least of the two Parties in it, is clearly indicated by these two amendments. I am not referring to the terms of reference but the fact is that there is a demand from a considerable portion of this House to see the whole thing investigated thoroughly before the House can express its opinion one way or the other. The House will recall that the question of separation of the railway finances from the general finances of the country had been agitating the minds of the administrators since about the close of the last century. From the time of the late Lord Curzon this idea was being mooted from time to time. But it was not till the Ackworth Committee was appointed to go into the whole question of putting the railway finances on independent and sound footing that the matter came up in some definite form. On the report of the Ackworth Committee early in March, 1923, a Resolution was formally brought before the House. What happened? I ask the Honourable the Railway Member to carry his mind back to that period, though I am not quite sure if he used to devote any time to these matters in those days—when he was busily engaged in the innocent pastime of making his pile in Calcutta. Sir, the House in 1923 did not straightaway agree to adopt the Resolution. The House appointed a Committee of its own which also appointed a sub-committee to go into the minutest details. The main Committee with the Sub-Committee worked for sometime and in September, 1924, the matter came up in the form of a Resolution before the House. I will invite the attention of the Honourable Members to the proceedings of the Legislative Assembly in those days. A glance at these reports will reveal that the question was not free from controversy. All manner of points were raised and various amendments were tabled. It is unfortunate that most of the Members of those days are not here now,—we have one in our Party who is also not present today, I mean my Honourable friend, Mr. K. C. Neogy. Sir, these amendments were discussed on the floor of the House and most of them were accepted. I bring this fact to the notice of the Honourable the War Transport Member to remind him of the manner in which this grave and momentous question had been handled in the past. I would ask him to follow the same principle as was done in the past by Sir Charles Innes. What is he going to lose by appointing a Committee and that also consisting of a limited number of members? Does he mean to say that he has furnished the House with sufficient data to enable it to come to some conclusion today? What then is the use of hustling the House here and now to the acceptance of this Resolution? Why this precipitate haste? Is he going to lose anything? So far as the coming year—1943-44—is concerned he has provided for everything in his Budget. So any specific provision he wants by passing this Resolution will be of use to him from the year after the next. So I do not see any reason why he should be in such a hurry and why he should not take the House into confidence?

We are told there are the Standing Finance Committee and the Central Advisory Committee for Railways; I should like to remind the House that these matters never came up before the Standing Finance Committee for Railways. I do not blame the authorities for that. The Standing Finance Committee for Railways and the Central Advisory Committee are not meant to tackle such questions. Nobody likes that the railways which are the great national assets of this country should be neglected. We are anxious for the rehabilitation of the railways of this country after the war, but you should try to carry the House with you even when you consider that your judgment and your decision are satisfactory. Now various Parties and interests are involved in it. Have you considered the views of the great mercantile community on the subject? Is there any indication in your speech that those who

are real customers, and indeed the great customers of the Railways, have been consulted on this question? I have not heard anything of the kind. Government want the House to accept the Resolution without furnishing it with any data by which it can feel itself justified in giving its decision. In these circumstances how can he expect our support to the Resolution? I would, therefore, appeal to him to consider the position and not to be in such haste. We are at one with him, if his object is to put railways on sounder basis and at the same time to give to the general revenues a more liberal share of its profits. There is not much difference between him and us in this. But we differ from him in the method and the manner by which he seeks to gain his object. I know, Sir, the Honourable Member can carry his Resolution with sheer force of votes in this House, situated as it is today. But may I remind him that that will be an act of administrative high handedness under the guise of the Legislature's approval. I hope he will not take to this course, though he may be tempted to do that. This is a very vital matter and if he cannot accept either of the two committees that have been proposed by us, let him take persons of his own choice and also Members representing every shade of political opinion in this House and charge them with the duty of examining this whole question in detail. We want an *ad hoc* committee for this purpose. The Standing Finance Committee for Railways and the Central Advisory Council for Railways are not competent to go into these questions. It is desirable that these questions should be examined by representatives of trade and commerce and other interests before the Legislators give their sanction to it.

The mere fact that he is going to change it for a limited purpose will not justify this hasty action. For, I believe that though the change proposed is a small one, it has a very important bearing on all the different aspects of the convention. I, for one, shall be extremely reluctant to give the imprimatur of sanction of this House to a Resolution which has not been systematically investigated by it. If he accepts the motion for a committee, I repeat again, he may choose his own personnel for it and he may charge it with the duty of examining the matter even for a limited purpose, leaving the larger and broader issues for the future when the whole question can be reviewed *de novo* after the war. If he will do that, he will find co-operation from every part of the House. If on the other hand, he takes to the shortest cut of moving a closure now and straightaway driving us to the voting lobbies, he will be gaining his end, but will not have the moral support of this House. Sir, I support the motion for committee, but if it is not accepted, I must oppose the Resolution as it does not accord with the manner and spirit in which the convention was established.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise to support the amendment moved by my Honourable friend, Dr. Sir Zia Uddin Ahmad. I do so for very good reasons. In the first instance, the Government have already incorporated all the results of this Resolution in the Railway Budget. They have, therefore, taken this House for granted. It is a very wrong habit to cultivate for the executive to take the legislature for granted and then seek *ex post facto* sanction; that shows the measure of the respect or the absence of it which the executive committee feels for the legislature. On that constitutional ground alone, the House will be justified in opposing this Resolution. I am sorry to say that the first important act of the Honourable Member for War Transport has been to take for granted the Legislature in such a manner. He should have shown far greater consideration for this body than the bureaucrats usually do.

Then, Sir, secondly I wish to say that the statement made in the Assembly is itself not correct. To say that the object of the convention has not been achieved is itself to my mind an inaccurate statement; in the first instance, the convention went far beyond the needs of the case. Sir Basil Blackett himself admitted on the floor of the House where the present Finance Member is sitting,

[Mr. Jamnadas M. Mehta.]

from that very place, he admitted that the burden placed on the railway revenues was much too heavy. I quite remember having opposed the heavy burden placed on the railway revenues under the convention. One per cent on the capital at charge was the original intention. I was a member of that Committee so far as I can remember and, therefore, I know that the general opinion was that one per cent on the capital at charge should have been the contribution to the general revenue. But as Members proceeded and found that the railway revenue for the particular year was very good, they asked for more; there was not only one per cent on the capital at charge, but one-fifth of the surplus and again one-third of any surplus after three crores, was charged. That was the reason why in later years, when there was economic depression, the railways were not able to meet the burden placed upon them. It was not that there was anything fundamentally unsound in the railway finances even during depression. If you had been less greedy, if you had been content with only one per cent on the capital at charge, then the convention would have worked very well indeed. It is not the fault of the convention. The principle of the convention is absolutely sound and it is the way in which it has been worked by the greed of the Members and Government that has led to its floundering. If the object of the convention has not been achieved, it is with regard to the two parts relating to the improvement of the railway services and the reduction of rates and fares; these have not been achieved; because they were taken as if they were merely formal, not really meant. It was merely the money part of the convention that was grabbed and the improvement of railway service and the reduction of rates and fares were to be only honoured in the breach and not in their observance.

Now, Sir, look at what happened. In the name of depreciation fund, by now, I think, 250 crores have been taken from the railway revenues. My figures may be somewhat inaccurate by a few lakhs or even a crore or so. I have tried to add them up and I say that within 20 years of this convention, including the Budget year it makes 20 years, I find that in the name of depreciation 250 crores of rupees have been taken from Railway revenues while as a matter of fact a little more than 150 crores have been found necessary. Today 82 crores are found to be surplus. What does it show? It shows that the calculation of depreciation was made on a lavish scale, quite out of all proportion to the requirements. Last year, my Honourable friend, Mr. Sankara Aiyar, had a gibe at me when I pointed out this and he said that if I was in charge of the management of a concern, with the views on depreciation fund that I held, he would not subscribe to the shares of that concern. That was a cheap gibe. He can put his hand into the taxpayer's pocket as much as he likes and get whatever money he likes; for him to pose as sound financier as he seeks to, when his success, if any, does not depend upon his ability but on the power of the bludgeon possessed by Government to extort whatever rates and fares they liked sounded to me rather unworthy of a Financial Commissioner. I do not ask him to subscribe to any shares of any company, but I do want that my money, the money of the taxpayers should not be accumulated in the name of depreciation fund, while the rates and fares are high, while the amenities to the passengers are low and when the improvements of railway services are doubtful. If he cannot run the Railways in that way, he must not taunt me who was merely asking that the terms of the convention should be carried out. That is all I am asking, that is all I am saying. But this is by the way. He is going away, and I do not want that his departure should be embittered by recriminations of any kind. We have always valued his deep insight into railway finances. Now, Sir, I want to know the reason why these 2,35,32,000 should be paid to the general revenues.

The Honourable Sir Edward Benthall: You will find it in the memorandum.

Mr. Jamnadas M. Mehta: The so-called reason is that the general taxpayer should be supported. Beyond that what is the reason?

The Honourable Sir Jeremy Raisman: The reason for any contribution by the railways to the general revenues.

Mr. Jamnadas M. Mehta: The only reason can be that you should tax me according to the cost of transport. What you are doing today is to tax me without any reference to the cost of transport and then taking credit to general revenues even against the terms of the convention. Sir William Acworth has told us that the tax on transport was vicious. You may not follow him now. In 1924 Sir William Acworth's theory was the highest water mark of wisdom for the Government Benches. Today it has ceased to be so because according as they can put their hand in our pockets they approve or disapprove a policy. It is not any principle on which they act. I do not mind paying the amount as a war measure but there is no financial justification for the railway tax-payer to pay this two crores of rupees. For the duration of the war you may take this amount as an extraordinary emergency measure, but do not justify as if it was something very wise, something very financially sound.

Part (ii) of the Resolution says : "That so much of the Convention as provides for the contribution and allocation of surpluses to general revenues shall cease to be in force." It does not even say "during the period of the war". Am I to understand that without any examination, so much of the convention as refers to the contribution and allocation of surpluses has altogether ceased to exist from today? The Honourable Member has made no statement either in his Resolution or in his speech in this behalf.

Then, we are told that this allocation in the future shall be divided in the ratio of 25 per cent. to the railway reserve and 75 per cent. to general revenues. Why? Is there any principle in it? I do not see any principle in that. How much have we paid already? I think, Sir, in twenty years we must have paid two hundred crores to general revenues.

Mr. Muhammad Nauman: More than that.

Mr. Jamnadas M. Mehta: My friend says more than that. Now, Sir, how is the railwayman, and the poor third class passenger ever going to get a relief in the reduction of rates and fares or in the improvement of services which is one of the objects of the Convention if any money that comes across is simply to be transferred to the general revenues? General revenues seem to have some general licence to rob the railwayman, the traveller, the trader and others concerned. I am not particularly impressed by this rough and ready division of 75 per cent. and 25 per cent.

The last proposal is "that for subsequent years and until a new convention is adopted by the Assembly, the allocation of the surplus on commercial lines between the railway reserve and general revenues shall be decided each year on consideration of the needs of the railways and general revenues, the loss, if any, on strategic lines being recovered from general revenues." That is on the whole not a bad thing that each year you will decide on the merits of the case, but the merits of the case are laid down by the Government that the surplus would be divided in the ratio of 75 per cent. and 25 per cent. between general revenues and the railway reserve. If that is to be the guide, I do not think I can support this.

One more point, Sir. I do not know why Sir Frederick James did not like the idea of appointment of a committee and why Sir Cowasjee Jehangir did not approve of it. Sir Cowasjee Jehangir's speech was, to some extent, rather strange to me. He protested throughout that he understood nothing. Throughout his speech he went on protesting that he understood nothing and yet went on supporting the Government all the same. There he understood. Why do that kind of thing; if you do not understand, keep quiet, but to go on saying "I do not understand but I support Government" is most unedifying. Certainly the request for an examination of these extraordinary doctrines which are laid down in the resolution is perfectly reasonable. Indeed, the House is entitled to demand an enquiry into these new doctrines,

[Mr. Jamnadas M. Mehta.]

particularly when depreciation fund has now gone upto Rs. 84 crores. I think the Honourable the learned Doctor is quite justified in asking for that examination.

Pandit Lakshmi Kanta Maitra: It is not only 84 crores, but there is another 9 crores in reserve.

Mr. Jamnadas M. Mehta: Twenty years' experience is there. You have taken in excess of what you needed. There is 20 years' experience, not one or two years. I can tell him that at least in one of the Colonial Railways the depreciation charged was 7 per cent. of the gross working expenses.

Dr. Sir Zia Uddin Ahmad: Here it is 25 per cent.

Mr. Jamnadas M. Mehta: Therefore the depreciation required in this country cannot be more than 5 to 7 crores of rupees. It is taken for granted that the men in charge of our affairs are supposed to know everything and we are supposed to know little or nothing, and, the House being what it is, it is certain that whatever proposal Treasury Benches make will be carried. I cannot agree that over 80 crores of depreciation fund should remain surplus and you should take from the revenues 12 to 13 crores additional every year. If you want lower rates and fares, then stop this; if you want improved services, stop this; if you want better attention to third class passengers, stop this. The House complains all through about third class passengers, heavy rates and fares and then quietly supports the huge allocation to depreciation fund. You cannot have it both ways. Therefore, I humbly beseech that the House will carry this proposition—the amendment of my Honourable friend, Dr. Zia Uddin, to vote. Never mind, if we lose. Let us place it on record that the Government's conduct in this respect was extraordinary, that it already acted before it took us into confidence, and was so cocksure of our support that it never sought it when it had any meaning. Their action is practically *ex post facto*, and, therefore, it is more insulting than anything else. All the four principles enunciated in the Resolution require close scrutiny and close examination and not immediate approval. For these reasons, Sir, although I am not an expert, but if 20 years' study of the railway finance from 1924 till this day can give a man any insight then I do say to Sir Cowasjee Jehangir that the proposition as it stands is not worthy of his acceptance. It is not worthy of the House simply to say "Yes, thank you", but our clear duty is to protest. If support has been taken for granted, action has been already taken on it, the Budget is framed and passed on that basis, that shows the extent of respect which the Government feels for this House. On these grounds, Sir, I wholeheartedly support the amendment of my Honourable friend, Dr. Sir Zia Uddin.

Qazi Muhammad Ahmad Kazmi (Meerut Division : Muhammadan Rural) : Sir, we are considering the alterations to a convention which was arrived at after considerable discussion, appointment of committees and consultations of experts, and the question is what are the constructive proposals that are being placed before the House for sanction by the Honourable the Member for War Transport after mature consideration. And for that I need only refer to part (iv) which says :

"For subsequent years and until a new convention is adopted by the Assembly, the allocation of the surplus on commercial lines between the railway reserve and general revenues shall be decided each year on consideration of the needs of the railways and general revenues, the loss, if any, on strategic lines being recovered from general revenues."

No new convention is being placed before the House, but only a principle that the old convention is not to be worked and we have to make our own convention every year. Sir, the way in which the convention is to be made is the way in which it is being made today, *viz.*, a matter of a very complicated nature is brought before the House and we are allowed only 15 minutes to speak on it. I am not going to speak for more than fifteen minutes, but still I know that gentlemen who have had experience of foreign railways wanted to enlighten

the House with their views, but they were stopped for shortness of time. Every Member of House is not expected to be an expert in the matter.

Pandit Lakshmi Kanta Maitra: Most of us are. We understand the job quite well.

Qazi Muhammad Ahmad Kazmi: Every Member is not supposed to have a detailed knowledge of the working of railways throughout the world. At least the House will not be able to form an opinion without the opinion of those experts. Now, I would be prepared to hear the railway experts with greater attention than people who are not experts. At the same time, I find that the Resolution they are bringing before the House is a negative one. In it they admit that they are not able to make up their minds as to what is to be done in the future. This is a very novel kind of Resolution before the House. We have tried a convention. It has failed. Now, gentlemen, take care of yourselves and the convention will not fail. It is a negation of resolutions. You want to make this House a party to this negation of a resolution to an admission that we are not in a position to make up our minds as to what we are to do in the future. This is a very strange kind of idea that has sprung upon the Government and the Government wants that we must confirm it. Where is the need of the haste of getting the principle embodied in clause (iv) of the Resolution being accepted by the House in this haste? Where will be the harm if a Committee is appointed for examining the whole *pros* and *cons* of the matter and coming to a conclusion, whether this convention is to be accepted as a convention or the matter is such a complex one that you must leave it unsolved and solve it every year as it comes before the House. That is a matter which to my opinion is not at all proper. It does not appear proper that we should come to a negative resolution as contemplated in para. (iv) of the Resolution. For that purpose let us have a committee, and if the committee is of the same opinion that they are not in a position to tackle the problem, then the House may endorse it in that form and at that time. But before trying and putting our heads together to tackle the problem, it is rather premature to endorse any Resolution of this kind. I, therefore, support the amendment of Dr. Sir Zia Uddin.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, I rise to support the amendment of my friend, Dr. Sir Zia Uddin Ahmad, and the reason of my support is simply one, and it is this that the Government in bringing this Resolution before this House is curtailing the rights of this House. I stand simply to protect the rights of this House in not giving my support for the Resolution. Sir, if the Government today is prepared to curtail the rights of this House and Assembly, then I would say that woe to such a Government. Sir, the rights of this House ought to be respected by the Government and not to be curtailed in this way. Sir, who in this House will not say that this is not a very vital matter? The reasons that have been given by Dr. Zia Uddin and Mr. Jamnadas Mehta and others are cogent enough for the Government to see how this House objects, not only on economical grounds but also on moral grounds. Sir, this matter has, so far as I have been able to know, been debated on from 1921, and even in those days objection was taken to it. People like Sir Purshottamdas Thakurdas, the great Economist of India, and Mr. Rangachariar, discussed this resolution in those days and they were of the opinion that this matter should not be decided at the moment simply because it was brought up by the Government. They insisted that it should be sent to a committee where elaborate discussions could take place. Here we find that the Resolution has been brought and because of the thinness of the House the Government think that will be very easy for them to carry it. If the object is that because of the war you want this amount to be taken away from the hands of the Assembly, then say it plainly that you want to put it to the vote of the House, but the way in which you are doing it is rather very strange. I would, therefore, ask that in the fitness of things, and for the convenience not

[Mr. Muhammad Azhar Ali.]

only of Members of this House but also on moral grounds and for your responsibility to the public, this amount should be devoted to the convenience of passengers and for the reduction, if possible, of fares and rates. On these grounds, I submit that I cannot support the Resolution and I support the amendment.

Mr. Ananga Mohan Dam (Surma Valley cum Shillong: Non-Muhammadian): Sir, I rise in favour of the formation of a committee to go into the details regarding the principle and methods involved in the resolution of the Government. Sir, I do not find any reason why the Government is failing to give the House an opportunity for discussing such an important question threadbare in committee but pressing it in this House. The differences of opinion expressed on the floor of the House by the different Members from different angles of vision show that it is more important for the Government to allow it to be discussed threadbare in a committee where all kinds of opinions may be expressed and all details may be discussed by different members and a right solution arrived at.

As far as I have seen the reports of this Legislature in 1924—I have not been able to go into the matter in detail—as far as I have seen, I find that Sir Basil Blackett was in favour of this convention. He put the view as follows. If you ask more for general budget the probability of an early reduction of rates and fares is postponed. If you ask for less that probability is increased, if we take more for the general budget, we reduce the opportunity of giving more amenities to the general taxpayers. I think that is a very important question which should be discussed by a Committee, because in the speech of the Honourable Members for War Transport, we have not been told anything which goes to reduce the freights and fares. In these days of war when the railways are having enormous sum to their credit, it should be the first duty of the Government to give relief to the general taxpayer, to give more amenities to the passengers, and to improve the system as far as possible. Not only this, but there are so many other questions involved in the Resolution. If this House allows this Resolution to be accepted without going into a discussion of all these aspects, Honourable Members will be doing an injustice to their constituencies who are expecting so much from them. It is, I think, very reasonable on the part of any Government, in a crisis like this, to have this question discussed in a Committee so that we can arrive at a right decision. It is true that these things of technical importance cannot be discussed without the help of an expert, but we cannot sit back waiting for an expert. Expert advice we may take, but this House has members who have discussed this question of railway finance for over twenty years and more, and they may be expected to give a lead to the country and a good principle to work upon. It is for that reason that I think the Government will be well advised to allow a committee to be formed and the whole thing discussed by it so that we can have a right decision to go upon. "The allocation of the surplus on commercial lines between the railway reserve and general revenues shall be decided each year on consideration of the needs of the railways and general revenues, the loss, if any, on strategic lines being recovered from general revenues." All these questions can be discussed by a committee with advantage. There are many questions involved in regard to the relationship of general railway finance with general finance, and I support the amendment asking for the formation of a committee for this purpose.

Sir Henry Richardson (Nominated Non-Official): The speeches which have been made to-day on this subject have, I think, shown an unusual amount of high interest, particularly, the speech of my Honourable friend, Sir Zia Uddin Ahmad, which shows that he has made a special study of a very absorbing subject. I must plead being, like my Honourable friend, Sir Cowasjee, not an expert in railway finance, but after listening to what has been said to-day, I

am sorry that I have not had more opportunity or experience to go into what I think is a most absorbing and interesting problem. I was particularly interested to hear what Mr. Jamnadas Mehta had to say: after all he and I think, Sir Cowasjee might be described as two of the "old salts" of a ship in which they have been serving for many years. Mr. Jamnadas Mehta was present in this House, I believe, at the time of the previous convention. I would also have been very interested to hear what that other "old salt" had to say, Mr. Neogy, but he is not present to-day. I feel from what I have heard that there may be some misunderstanding of the position which my Group has taken up as was explained very early by my Honourable colleague, Sir Frederick James. We are not against a committee, but we are against having it at this juncture. If I may say so, from a business point of view it seems to me to be like putting the cart before the horse. Let me try and explain what I mean. Supposing you have a jute mill or a coal mine or a cotton mill or a tea garden and you have a very large question arise which affects such things as your machinery, the life of it, your policy, and all the hundred and one things that arise in connection with all these business problems, you would not ask your Board of Directors to sit down and consider all these problems without first of all having placed before them some report from an expert or a technical committee of men, which you have serving in these companies deliberately and purposely for those special reasons. And I am surprised to find this absence of thought in the House that you can sit down and examine (Interruption.) a question regarding the biggest organisation in the whole country, which the railways are, without first of all getting these expert and technical opinions on the very very difficult problems and questions which arise over this particular subject. We in the House have criticised Government out and out, particularly in this Group, many times, over their red tape methods as opposed to business methods, and here we find the House to-day advocating a method,—which is a method, I make bold to say, Members would not adopt in their own business if such a problem arose. First of all, let us have this expert examination. Let the Government come before the House and place exactly what those problems mean and then say to us, "Now this is our decision". If the House wants a committee at that time, we shall be with you one hundred per cent. I support the Resolution as moved.

(At this stage, Mr. Amarendra Nath Chattopadhyaya rose in his seat.)

Some Honourable Members: Let the question be now put.

Mr. Chairman (Syed Ghulam Bhik Nairang): Mr. Chattopadhyaya.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division: Non-Muhammadan Rural): Sir, Chairman, I thank you for calling me in spite of cries of 'The question be now put'. I am surprised that it has taken 20 years for Government to see that the convention has not properly worked. The Resolution says:

"Whereas it has been found that the Convention, which was adopted under the Assembly Resolution, dated 20th September, 1924, and which was intended to relieve the General Budget from violent fluctuations caused by the incorporation therein of the railway estimates. . . has not achieved these objects. . ."

Sir, this discovery was made after 20 years. This is the strangest part of the Resolution. Clause (i) of the Resolution says:

"for the year 1942-43, a sum of Rs. 2,35,32 thousand shall be paid to general revenues over and above the current and arrear contribution due under the Convention."

Why that sum, why not five crores, or why not a lesser sum than Rs. 2,35,32 thousand? How has the Honourable Member arrived at this figure? What is its basis? Then clause 2 says "From the 1st April, 1943, so much of the Convention as provides for the contribution and allocation of surpluses to general revenues shall cease to be in force". It does not give any reasons for this. Then clause 3 says, "and thereafter be divided 25 per cent. to the railway reserve and 75 per cent. to general revenues, the loss, if any, on strategic lines being recovered from general revenues". It is extremely vague. If 75 per cent. is to be given to general revenues, why should railways earn? How can the Railways continue? In this way, all possibility of economy and improvement will

[Mr. Amarendra Nath Chattopadhyaya]

vanish, if the most of the profit is to be given to the general revenues. Then clause 4 says, "for subsequent years and until a new convention is adopted by the Assembly". We do not know when the convention will be adopted and how long the present state of things will continue. The war is going on and we do not know what is coming after the war and who is going to be responsible for all this. In these circumstances, there is need for the Government to go in for a committee. If the Government is of opinion that expert opinion should be obtained, then an *ad hoc* committee might be formed and members of the Assembly may be added to that and in this way the Honourable Member can have the whole position examined and come to a decision as early as possible. I think in that way the object of the Resolution will be met. With these words I support the amendment.

The Honourable Sir Edward Benthall: There are three amendments before the House. Two of them relate to the setting up of committees and one of them, Dr. Sir Zia Uddin's, deals with the allocation of funds to the Depreciation and Reserve Funds. I will deal with this latter amendment first. Dr. Sir Zia Uddin's proposal is to limit the railway depreciation fund and the general reserve to a total of 75 crores. In the Railway Department we have for some time been engaged upon an examination of the question of the depreciation fund and the examination shows that neither the rate of the contribution to the fund nor the balance in the depreciation fund is excessive. That, I think, is in direct contradiction to what the Honourable the Mover has said and what Mr. Jamnadas Mehta has said.

Dr. Sir Zia Uddin Ahmad: Will you give us an opportunity to examine their arguments?

The Honourable Sir Edward Benthall: It is our conclusion after a very careful and technical examination by our technical experts and, as mentioned in my opening speech I hope to place a paper on this subject before the committee of the House in due course, so that it may have a thorough examination by the committee of the House. I do not, therefore, propose to go into this subject very deeply today, but I would remind the House of what I said on the post-war reconstruction cut motion. I then pointed out that immediately after the war renewals and replacements will run into a very large sum, part of which will be debited to the depreciation fund. I would also point out, as some speaker early in the debate said, that no provision has been made for arrears of depreciation prior to 1924, nothing at all, so that all those arrears are still outstanding. Equally no provision has been made for depreciation on Company-owned lines before the date of their purchase. Mention was made of the Wedgwood Report. The proposal of the Wedgwood Report was that the depreciation fund should be some 30 crores and the general reserve fund some 50 crores. The Wedgwood Committee was very inconsistent. It suggested that the old method of calculation of depreciation based on the cost and on the normal life of the assets was better than the method, which was adopted subsequently, of one-sixtieths of the capital at charge. They suggested a periodical review of the normal life of the assets. If the depreciation fund is to be built on scientific principles like that, it is surely most illogical to put an arbitrary limit to it. Either you follow some scientific method or you don't. The Wedgwood Committee, which was quoted, is itself extremely illogical.

Then again the Wedgwood Committee recommended an amortisation fund and this recommendation of theirs was approved . . . (An Honourable Member: "That is for Company Railways, not for State Railways".) I think the Finance Committee and the Central Advisory Committee both agreed to the principle of a 5 crore appropriation for an amortisation fund and, had that been in being, it would by now have amounted to something like 30 crores. Then again, as Sir Arthur Dickinson pointed out, there was no provision in the depreciation fund for obsolescence. Finally, the Wedgwood Committee proposed that

the railways should only pay interest on capital and should not make a "contribution". I just mention these things to show how very much opinions can differ and how very essential it is that these matters should be gone into very closely. With regard to Dr. Sir Zia Uddin's amendment, I should perhaps just point out what is going to be the effect of that amendment on the 1942-43 and 1943-44 allocations. Under his proposals the general revenues would receive in the current year 27.88 crores in place of 20.13 under our proposals and the railways will receive 8.40 crores in place of the 16.04 crores which they would receive under our proposals.

Dr. Sir Zia Uddin Ahmad: I do not agree with your figures.

The Honourable Sir Edward Benthall: I am telling the Honourable Member what precisely his amendment would mean. When you come to next year, 1943-44, the general revenues would not only receive the whole of the surplus of 36.04 crores and the railways nothing at all but in addition the railways would have to pay back 1.84 crores of the net accretion to the depreciation fund in 1943-44. That, Sir, is the financial effect of this amendment. The proposal, as I see it, is not only contradictory to the policy of Government but it is also contradictory to all those many speakers who have expressed the desire to see railway finances built up on sound business lines and the depreciation fund established on scientific principles. The figure adopted seems to be rather arbitrary and to involve, in fact, an abandonment of a scientific basis for the depreciation fund. So, Sir, I have no hesitation in asking the House to oppose that particular amendment. But, as I stated before, I will have the whole subject of the depreciation fund, and so on, carefully examined by whatever Committee is decided on.

[At this stage, Mr. President (The Honourable Sir Abdul Rahim) resumed the Chair.]

Now, Sir, turning to the other amendments, a number of Members spoke and, if I may say so, at times I felt the debate was rather tending to become a general discussion of the Budget than a discussion of the particular Resolution before the House. Honourable Members discussed the depreciation fund, rates and fares, passengers, working expenses; some Members wanted more to general revenues, some more to railway reserves. I cannot in the time before me discuss all these matters, but I would just like to say one thing, which I have said before, as regards rates and fares. The rise in the rates and fares is unquestionably less than the rise in price of any other commodity in this country. I challenge any Member to indicate any industry which shows a less increase.

Mr. Jamnadas M. Mehta: Man has become cheaper!

The Honourable Sir Edward Benthall: I think my statement to be a truth which nobody can deny and, as I also said before, it compares very well with the policy of the agriculturists who has advanced his prices by some 2, 3 and 4 hundred per cent. So, on the subject of rates and fares I feel that the railways have been extremely moderate.

Now, Sir, there was a great diversity of opinion expressed and most important views were put forward, but I submit that the very diversity of the views is an argument in my favour. It is quite evident that this is a very intricate subject indeed and if we are to discuss these many matters which have been raised by different speakers, it is going to be a very lengthy business indeed, as it should be. I entirely agree that these matters should be discussed at length, but I am faced with the fact that we are trying to pass a Railway Budget—and a General Budget—and we must endeavour to get that Budget through. The Budget has to be passed by the House and I am going to ask the House to pass it. If all these matters are referred to a Committee to consider before we pass the Budget, not only the Railway Budget but the General Budget which is affected by it, either the discussion of these subjects must be extremely hurried or they must be inconclusive or the Budgets will not be passed. Well..

[Sir Edward Benthall.]

Sir, that is one factor which I have to take into account, and another is the desire of the House to give these matters proper attention. The House has agreed as to the complexity of the subject and more than one speaker—Mr. Lalchand Navalrai in particular—has stated that on no account must we be too hurried over this. I entirely agree with that view and it is because of that very fact that I want these things properly investigated that I have suggested the procedure which I did suggest in my opening speech. But, Sir, I am faced with this dilemma. I may desire to meet the House but if you look at Sir Zia Uddin Ahmed's first amendment, you will notice that it involves this time factor. This examination, if it is to be thorough, will require, as several speakers have suggested, the production of technical papers for the study of the Committee. That will take time. The Department has almost ready a paper regarding the depreciation fund but it has not got papers ready on other subjects and it will take time to prepare them. It is very difficult to reconcile the two views expressed, one that we should take time for the consideration of these matters and the other that we should pass the Budget. And that is my dilemma whatever I may wish to put to the House.

If I might for a moment turn to the Resolution itself: first of all, one or two speakers questioned the preamble. Well, Sir, this in itself was, as I thought, based on the desire to meet the views of the House. Last year on the 20th February a cut motion was moved by Sir Frederick James suggesting the revision of the Convention on the grounds that it had not worked. Other speakers got up. Mr. Jamnadas Mehta said, "I have watched its working with the greatest attention and I do feel that time has arrived when its revision should be undertaken". Mr. Hooseinbhoy Lalljee said, "I entirely agree with the remarks of my Honourable friend, Sir Frederick James and congratulate him". Mr. Muhammad Nauman said, "As the Convention has become very old, revision is necessary". It was in that spirit and in response to what we understood was the desire of the House that we endeavoured to undertake a serious tackling of the financial position of the railways this year at a time, and the House will pardon me for saying so, when we would much rather not have done so owing to our very serious pre-occupations for the war. But in view of the debate we felt we should try to do it and I endeavoured to carry that spirit further forward in my Railway Budget speech to the House where I spent a very considerable portion of the speech explaining, as I thought, exactly the reasons why we proposed the allocations between the general revenues and the railway reserve and exactly the grounds of our policy. I am sorry to find after what I had sincerely regarded as an attempt to meet the wishes of the House that the House does not seem at the moment pleased with what we have put before them.

Mr. Jamnadas M. Mehta: This is not a revision.

The Honourable Sir Edward Benthall: If I might turn for one moment to paragraph 1, I think only two Members objected to our paying this sum to general revenues and others wanted more to be put to general revenues. Personally, I consider that it is a very reasonable proposition that we should pay to general revenues this year what the House budgeted last year. It is nothing more and nothing less. It so happened that railways experienced a betterment and that betterment goes to the railway finances.

As regards paragraph 2, here again, I heard only one voice raised against this paragraph and other Members were silent. I thought there was no objection to this paragraph. The House does, in fact, realise that the Convention has not been satisfactory and that the railways have not been able to meet the burden that has been placed upon them.

As regards paragraph 3 Mr. Deshmukh asked why we had pitched on the proportion of 75 and 25. Well, Sir, it was a result of balancing all the factors

to which I referred in my General Budget speech and the speech I made this morning. We took into account the general budgetary position of the Government. We put it to the House that a contribution to the general revenues be made to lighten the burden of the general tax-payer. As was pointed out this proposed allocation should not be regarded as a precedent. I said that because we agreed to one proposal for next year in order to deal with the general budgetary position, I did not regard that as a precedent for the future. The House should decide, in the light of the general conditions prevailing each year, on the proportion proposed for next year or any other proportion which may be most suitable for the future and I added my personal view that eight crores should be set aside as a minimum for strengthening railway reserves. That proposal accords with the suggestions from the European Group and I think it had the support of the several other Members.

Mr. Jamnadas Mehta suggested that we had prejudiced the decision of the House by the manner in which this Resolution was put forward. I do not think that. The whole position was made perfectly clear in my Budget speech. The House had a chance to consider the matter and to discuss it on the Demands for Grants and during the general debate. Now we have put forward a Resolution for full discussion. I suggest, Sir, the accusation is unjustifiable in view of the frank course we have taken in putting this matter before the House. I can assure the House I have no desire at all for anything but a full discussion of this matter.

We come to paragraph 4 of the Resolution. I was very much impressed by what was said by Sir Cowasjee Jehangir. He fully expressed my own thoughts and expressed them so lucidly that I envy him. There is indeed a difficulty in reaching a permanent decision in these times. I do feel that if a Committee of the House should examine the whole question, they would find that *ad hoc* decisions are necessary year by year. The proposals in this Resolution are only for the current and the next year. After that the House should consider the allocation year by year. A Committee of the House should certainly examine the nature of permanent convention and further more I will add again that the House should have time for that examination. I do not really feel that there is much difference between the Government side of the House and the non-official Members.

An Honourable Member: I do not find that.

The Honourable Sir Edward Benthall: I find that the crux is the question of the Committee.

Three proposals have been made. One is that there should be an *ad hoc* committee to examine the whole problem. The second is that we need an expert commission. Sir, as regards this expert commission, I certainly agree with Mr. Krishnamachari and I do not feel that we need for this commission any more experts than we have in the country. I believe we have already a good deal of the necessary material in the Railway Department. The difficulty is to get it marshalled at the present time. If later on the House feel or the Committee feels that more experts are required and that a further expert commission is necessary, we might see to it. Then there is my own proposal. I proposed that these matters should be discussed by the Standing Finance Committee for Railways and, if appropriate, by the Central Advisory Council for Railways. I am myself in a quandary. In the course of the general debate certain Members of the House wished to sidetrack that committee, a committee which is normally entrusted with these matters, a committee which, incidentally, was set up by the very Resolution which we are discussing, and it seems to me very proper that that body should take up this matter.

An Honourable Member: That body should consider and not a Committee of this House.

The Honourable Sir Edward Benthall: That body is a Committee of the House, and it is proper that that body should consider these matters.

Sir, I had proposed that we should carry out in the Department investigations on the lines suggested by Sir Frederick James and that we should proceed with this work as soon as we can. It will take some time to consider it. In this respect Mr. Deshmukh's resolution is really very significant. He wishes to appoint a Committee and ends by saying that the Committee should report on or before the 31st August, 1943. It will take at least that time properly to consider this matter. Now that is very significant, because the Budget will have to be delayed until that time.

An Honourable Member: You can revive it by certification.

The Honourable Sir Edward Benthall: If we are to give that amount of time for all these questions we cannot get it through before the next Session. At the same time, the principle which Mr. Deshmukh embodies in that amendment is, if I may say so, perfectly sound because it is necessary for us to consider these matters and reach a decision before we enter on the consideration of next year's budget and that usually happens towards the end of the year. So that, whatever discussion does take place will have to take place, and the report will have to be made to the House, by early autumn. If the House accepts these two things, first that full consideration must be given to these questions and secondly my suggestion that the Resolution should be passed in order to enable the Railway and General Budgets to go through, it follows logically that I must ask the House to pass this Resolution and enable us to proceed with the Budget.

Even in the proposal contained in my opening speech, I had paid a considerable regard to the views of the House. The original conclusion of Government was that it would not be useful to try to arrive at the basis of a new convention in these unsettled times. We did not think it possible to do so, and quite frankly we feel today that if this examination, is to lead to a determination of what should be a fair allocation in normal peace times, whenever that may be, if that is to be the objective, it would be impossible to reach it in war time. The Honourable Member Pandit Lakshmi Kanta Maitra suggested that I might appoint my own Committee. What I had proposed to the House was that we should adopt the Committee of this House, the Standing Finance Committee for Railways, to examine this question and I had proposed that the Standing Finance Committee for Railways should be seized of these matters as soon as possible. I was proposing to consult the Leaders of Parties in the House as to when they would wish the first meetings to take place. It was pointed out in one speech that the House can appoint such Members as it likes to the Standing Finance Committee for this important purpose, since the election comes off in the near future. I find, however, that that suggestion does not commend itself to the House.

Again, I come back to my dilemma. We must endeavour as practical people to carry through the Budget proposals and get on with the work. At the same time, I do not wish to press my proposals on the House if I can reach a general agreement on the question of procedure. It is only on the question of which Committee should be seized of this matter that we differ and not on the question of having an examination. If the House will accept the Resolution and so enable the business of the Budget to go forward, I will make another effort to meet the wishes of the Movers of the amendments. The difference between us as I said is not one of what we should do, but which Committee should be seized of this question, whether it should be a special committee of the House or whether it should be the Railway Standing Finance Committee. It is not a question of procedure, but it is a question of which Committee should carry out this procedure. If the House wishes to supplant the Standing Finance Committee for Railways, which is a Committee

of this very House, I am prepared to make suggestions to enable that to be done. Clearly the matter cannot be discussed by two Committees at the same time, for that would be entirely redundant. Provided therefore that the Resolution carries the support of the movers of the amendments, I will agree that a Committee of the House, on the lines proposed by the Honourable the movers, should be set up to discuss questions arising out of para. 4 in particular and will give very early consideration, in consultation with Party Leaders, to the question of how that Committee should be set up, what the terms of reference should be and so on. This procedure will enable the Government to proceed in respect of the current Budget and next year's Budget and will allow all appropriate matters which have been raised on the floor of the House by different speakers to be properly discussed by this special Committee of the House. That, Sir, is I think a very reasonable offer which resolves my dilemma and which goes as far as possible to meet the wishes of the House.

Pandit Lakshmi Kanta Maitra: Make-believe.

The Honourable Sir Edward Benthall: No, it is not a make-believe. It is an honest endeavour to meet the Honourable Movers of the amendments. I am giving them a Committee, I am giving them the widest scope and I undertake to place technical papers before that Committee. I do not see that if we are to proceed with the business of the Budget, we can very well make a more forthcoming offer. I make that proposal in a desire to meet the Honourable the movers, but if that offer is not accepted, I cannot see that I have any alternative to pressing the Resolution as it stands. If I am forced to that course, I will, in accordance with the previous undertaking, refer further matters arising out of the Resolution to the Standing Finance Committee for Railways.

Sir Cowasjee Jehangir: Will this Committee consider this Resolution and the whole question and report to the House before the Government considers the 1944-45 budget? Is that what you are assuring us?

Dr. Sir Zia Uddin Ahmad: Before the completion of the Finance Bill?

The Honourable Sir Edward Benthall: My idea was that the Committee should report round about the date suggested by Mr. Govind V. Deshmukh, at any rate not later than October because as I said by October we have to begin preparations for next year's Budget. In view of this undertakings, I would ask Honourable Members not to press their amendments. We will proceed on those lines and the Committee will report the results of its deliberations to the House at the next Session.

Dr. Sir Zia Uddin Ahmad: May I remind the Honourable Member that the Convention of 1924 was first laid before the Standing Finance Committee for Railways and it was also discussed by the Railway Advisory Committee and after discussion by these two Committees it was laid before the House and then referred to a Committee of the House?

The Honourable Sir Edward Benthall: That, Sir, in brief was the very proposal which I wish to make to the House. I wish all these matters to be discussed by the Standing Finance Committee for Railways. I wish then to put up some proposals, if I am able to do so, for the consideration of the House and naturally if the House thought that the matter had reached the stage when it should be referred to a special Committee of the House, it could be done. That is precisely what I am suggesting.

Dr. Sir Zia Uddin Ahmad: The figures ought to be examined by a Committee of the House. If they have been previously considered either by the Department or by a Committee which we set up in the Railway Department, it is immaterial. Before finally accepting any proposal, we should like to have figures examined by a Committee of the House. I am not shy about my figures being examined. I say that he should not be shy that his figures should be examined by a Committee of this House.

The Honourable Sir Edward Benthall: That is the essence of my offer. I am saying that further matters arising out of the whole Resolution are for discussion with a view to arriving at what the future policy should be, and I am merely asking the House to agree to the allocation for this year.

Pandit Lakshmi Kanta Maitra: I think it should be allowed to stand over a day or two. We have been given the offer just now. We have to consider it in all its bearings.

The Honourable Sir Edward Benthall: I think I have made a very fair offer to the House, and I would ask the House to meet it in the same spirit in which it is made.

Dr. Sir Zia Uddin Ahmad: In view of the assurance given by the Honourable Member, I beg leave of the House to withdraw the amendment.

The amendment was, by leave of the Assembly, withdrawn.

Mr. President (The Honourable Sir Abdur Rahim): The other amendment was moved by Mr. Deshmukh.

Mr. Govind V. Deshmukh: Sir, I wish to withdraw the amendment.

The amendment was, by leave of the Assembly, withdrawn.

Dr. Sir Zia Uddin Ahmad: Sir, I do not want to press my second amendment.

The amendment was, by leave of the Assembly, withdrawn.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That whereas it has been found that the Convention, which was adopted under the Assembly Resolution, dated 20th September, 1924, and which was intended to relieve the General Budget from violent fluctuations caused by the incorporation therein of the railway estimates and to enable railways to carry on a continuous railway policy based on the necessity of making a definite return to general revenues on the money expended by the State, has not achieved these objects, this Assembly recommends to the Governor-General in Council that:—

- (i) for the year 1942-43, a sum of Rs. 2,35,32 thousand shall be paid to general revenues over and above the current and arrear contribution due under the Convention,
- (ii) from the 1st April, 1943, so much of the Convention as provides for the contribution and allocation of surpluses to general revenues shall cease to be in force,
- (iii) for the year 1943-44, the surplus on commercial lines shall be utilised to repay any outstanding loan from the depreciation fund and thereafter be divided 25 per cent. to the railway reserve and 75 per cent. to general revenues, the loss, if any, on strategic lines being recovered from general revenues, and
- (iv) for subsequent years and until a new convention is adopted by the Assembly, the allocation of the surplus on commercial lines between the railway reserve and general revenues shall be decided each year on consideration of the needs of the railways and general revenues, the loss, if any, on strategic lines being recovered from general revenues."

The motion was adopted.

THE INDIAN PENAL CODE (AMENDMENT) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That the Bill further to amend the Indian Penal Code, and to amend the Currency Ordinance, 1940, be taken into consideration."

Sir, the object of this measure is described in the Statement of Objects and Reasons. The position is that whereas the law, as it stands, provides amply for cases of deliberate counterfeiting of currency and bank notes it has been discovered that there is a lacuna which is particularly dangerous in a country such as India. The lacuna is this: If people with no intention to counterfeit nevertheless produce reproductions of currency or bank notes for such purposes as advertisement, nothing can be done to prevent that practice although it may be found in experience that innocent and ignorant persons are actually victimized by the use of these reproductions. Honourable Members may have observed that it is quite a common practice, for instance, in certain places for cinemas to advertise performances or advertise their particular theatre by producing reproductions of currency notes with the name possibly

of the cinema on it or of some particular film star. (Interruption.) Now, whereas no Member of this House could be taken in by a note of that kind,—I am afraid, I cannot guarantee the immunity of Honourable Members against film stars, but I think the Group to which the Honourable Member belongs, at any rate, is extremely unlikely to be taken in by a currency note which merely contains the head of a film star—the unfortunate experience of less educated and less competent people has to be taken into account and there has actually been a case in which a taxi-driver had one of these notes passed to him and he not only accepted it but he gave about eight rupees change. And I regret to say that it also happened once that an officer in a Currency Depot accepted one of these, which was rather dirty, in the middle of a bundle of other genuine currency notes. The matter has obviously reached the proportions of a danger to the general public and it has been strongly represented to the Government that steps should be taken to protect people against this danger. This measure, therefore, is brought forward in order to give a power to prevent this particular form of nuisance and also to prevent the coming into existence of the means whereby deception can be practised on the ignorant and illiterate.

I may say that we have consulted all Provincial Governments and there is general feeling in support of this legislation. I trust, therefore, Sir, that the House will be equally zealous and anxious to protect innocent people from this type of danger. Sir, I move.

Mr. President (The Honourable Sir Abdul Rahim): Motion moved.

"That the Bill further to amend the Indian Penal Code, and to amend the Currency Ordinance, 1940, be taken into consideration."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Have there been any other instances of this nature where this forging has been going on, and if so, how many?

The Honourable Sir Jeremy Raisman: I have mentioned to the House that it has come within our knowledge that two very shrewd people, a currency office clerk and a taxi-cab driver have been imposed upon, and we do believe that there have been quite a number of other deceptions too. The case of the taxi-cab driver came into court. They caught the man who passed the note to him.

Sir F. E. James (Madras: European): This will also cover the kind of note that has been issued in past years at the Industrial Exhibition here! One of my servants brought one thousand rupees worth of "happiness notes" and expected to cash them at the nearest bank. I take it that that would be also prohibited.

The Honourable Sir Jeremy Raisman: I think it would.

Mr. President (The Honourable Sir Abdul Rahim): The question is:

"That the Bill further to amend the Indian Penal Code, and to amend the Currency Ordinance, 1940, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Jeremy Raisman: I move that the Bill be passed.

Mr. President (The Honourable Sir Abdul Rahim): The question is

"That the Bill be passed."

The motion was adopted.

THE COFFEE MARKET EXPANSION (AMENDMENT) BILL.

Mr. T. S. Pillay (Government of India: Nominated Official). Sir, I move:

"That the Bill to amend the Coffee Market Expansion Act, 1942, be taken into consideration."

Sir, in the year 1942 the main principles of statutory control of the Indian Coffee industry were accepted in this House. This Bill, though it contains as many as 18 clauses, seeks to make only one important amendment, namely, the amendment made in clause 8 of the Bill. To have an effective control

[Mr. T. S. Pillay.]

over the industry, as the Act contemplates, it has been found by experience that it may be necessary at some times to take the crop of all the registered estates into control. The Act as it stands has not provided for this. It is, therefore, proposed that with the previous sanction of the Central Government, the Board which is vested with responsibility for controlling the industry may, if it so wishes, in any particular year, allot no quota at all for internal sales. In simple words it only means that the entire crop of a particular year may be taken under control so that the sales may be regulated according to supply and demand. We have also taken this opportunity to make one or two minor amendments which have been found necessary with experience of the working of the Act. One such amendment will be found in clause 12 of the Bill. When we are asking that the Board may not allot internal sales quota at all, that may not allow the coffee grower a single pound of coffee to be sold when he is in need of money. So it may be necessary for the Board to pay him the entire cost of the crop which he has delivered to the Board. In order to enable the Board to do this, we have introduced this minor amendment. Sir, all the other amendments are more or less consequential, excepting the one in clause 5, where we have taken the further power to control the retail price of the coffee. Sir, I move that the Bill be taken into consideration.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill to amend the Coffee Market Expansion Act, 1942, be taken into consideration."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I find that there are 18 clauses to the Bill. If it is convenient to the House all the clauses may be taken together.

(The House concurred.)

Clauses 2 to 18 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. T. S. Pillay: Sir, I move that the Bill be passed.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill be passed."

The motion was adopted.

THE INDIAN ARMY AND AIR FORCE (MILITARY PRISONS AND DETENTION BARRACKS) BILL.

Mr. C. M. Trivedi (Secretary, War Department): Sir, I move:

"That the Bill further to amend the Indian Army Act, 1911, and the Indian Air Force Act, 1932, be taken into consideration."

This is a simple measure. Honourable Members will find its purpose described in the Statement of Objects and Reasons, but it is perhaps desirable that I should briefly explain the object of the amending Bill and its clauses. The Indian Army Act and the Indian Air Force Act, as they stand at present, do not contain any provision for military and air force prisons. These two Acts also require that all sentences of imprisonment exceeding three months awarded by courts martial must be carried out in civil prisons. I may inform the House in this connection that persons committed to such prisons are invariably discharged from the Indian Army or Indian Air Force, as the case may be. Both the Indian Army Act and the Indian Air Force Act permit sentences of imprisonment not exceeding three months to be carried out in military or air force custody, but in the absence of military or air force prisons such custody takes the form of confinement in unit cells.

This system is unsatisfactory in two respects. Firstly, although many persons sentenced by courts martial for more than three months are not criminals in the accepted sense of the term, they must undergo imprisonment in civil jails where it is not possible to continue their military training and where they may and do come into contact with ordinary criminals, with the result that they cannot be retained in the service. The Indian Army and the Indian

Air Force thus needlessly lose manpower at a time when they can ill afford to do so. Secondly, experience has shown that the number of cells, particularly in newly raised units, and those which have greatly expanded and also in small units, is not sufficient to accommodate persons sentenced to imprisonment for periods not exceeding three months.

The Bill is designed to remedy this unsatisfactory position. Clauses 4 and 6 empower the Central Government to establish military and air force prisons and to make rules for their government and discipline, while the amendments of section 107 of the Indian Army Act and section 113 of the Indian Air Force Act proposed in clauses 2 and 5 of the Bill, permit courts martial, confirming officers or prescribed officers as the case may be, to direct that sentences exceeding three months shall be carried out in confinement in a military or air force prison. The intention is to send to military prisons only those prisoners whom it is desired, having regard to all relevant circumstances, including the nature of the offences for which they were convicted, to retain in the service. A certain number of prisoners sentenced to imprisonment for periods of three months or less will also be sent to such prisons. I may add for the information of the House that it is proposed to establish two military prisons, each capable of accommodating 300 prisoners. Facilities for continuing military training will be provided in these prisons. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Indian Army Act, 1911, and the Indian Air Force Act, 1932, be taken into consideration."

Mr. Lalchand Navalrai (Sind: Non-Muhammadian Rural): Part (a) of the Statement of Objects and Reasons says:

"providing additional facilities for the incarceration in military custody of persons subject to the Indian Army Act and the Indian Air Force Act, who are ordered to undergo sentences of imprisonment awarded by courts martial, but for whom sufficient accommodation in cells does not exist."

This is not very clear. I would like to know whether those persons who are nowadays tried by martial courts—there are civil population also who are being tried by the martial courts . . .

An Honourable Member: . . . courts martial.

Mr. Lalchand Navalrai: It is martial courts, as they call it. I want to know whether those prisoners also will be affected. I will give an example. Civil population who are being accused under the Defence of India Act are also being tried by martial courts, and I want to know whether they will also come under this Bill or not. For instance, in Sind, there is a martial court, and it is not only the military people, but even the civil people are being tried. I would like to know whether this Act will apply to them or not. The regulations that have been made by the Administrator in Sind for martial law jurisdiction are guided by the Army Act itself. I would like to know whether it is intended only for the military people.

Mr. C. M. Trivedi: Sir, this Bill is only intended for military prisoners. My Honourable friend is confusing courts martial with martial law courts. There is no intention whatever of sending persons sentenced by the martial law courts to these prisons.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadian Rural): I am afraid I have not been able to understand the real purpose of this Bill. I have read the Statement of Objects and Reasons. A perusal of it gives one the impression that the punishment that is going to be meted out to delinquents in the army and air force is not intended to be what is required by canons of criminal jurisprudence. The object of penal legislation is to make it deterrent, retributive and reformative. It now appears that only one aspect of this question has engrossed the attention of the sponsor of this Bill. Is it the intention of the Government that those who may be guilty of offences involving violence to life or property or involving moral turpitude would not be sent to ordinary civil prisons of the land governed by the ordinary rules of prisons, but would be placed in a special category of prisons to be set up? We do not know how they are to be treated and what they will be called

[Pandit Lakshmi Kanta Maitra.]

upon to do. If that is so, it is quite pertinent to ask what is the real motive of the Government. Do they want that these delinquents should be in some sort of reformatory schools, the so-called prisons, so that they may revert back to military service? It seems to me that the question of shortage of room in prisons is not really the question, is not really the consideration that has weighed with the Government in bringing forward this Bill. We have not been told if there has been an abnormal increase in the prison population of the country in recent times, neither have we been told that the military department have been suffering from an undue percentage of people who instead of keeping themselves in their normal occupations are finding their proper places in prisons. It has not been explained to the House what are the abnormal circumstances which have taken place, which necessitate this Bill. If the object is that they will be segregated in prisons where they will not be called upon to undergo hard labour even if they are condemned to penal servitude but are to be treated in such a manner that they may be reclaimed and eventually re-absorbed in the military service after a certain term, then I will have to object to this. If men in the military service behave themselves in a manner which makes them amenable to the ordinary law of the land, I for myself will stubbornly oppose a measure which seeks to deal with them leniently. I do not believe in re-absorbing those who may be sentenced to longer terms of imprisonment than three months, and who may be guilty of offences involving grave moral turpitude; they should not be re-absorbed in the army if that is barred by the ordinary law of the land. I do not think that the prestige or even the morale of the military department will be enhanced by that. If, on the other hand, the plea is real and genuine that the army of late has been yielding such a heavy percentage in prison going population that the Government should have an institution for them, then, of course, it is for the department to consider whether, with the question of segregation or housing of this distinct class of prisoners, they will introduce some measures which will make them correct their ways and behave in a manner which will not be detrimental to the interests and safety of the people at large. I have not heard one single sentence so far from the Honourable the Mover of the Bill as to the real object of the Government in bringing forward this Bill. If it is only a question of finding shelter for these people, then, of course, I have no objection, but if it is designed to screen them from the consequences of their illegal actions for which they may be condemned to prison, I will certainly object. They cannot be made to escape the consequences of their own actions. They should be placed under the same conditions as ordinary culprits and delinquents. In other words, they should suffer the consequences of their actions, and the rigours of ordinary prison life. If that is not done, then, I think this Bill will produce an entirely different effect. It will encourage lawlessness in the military people. They will feel encouraged that after all the ordinary hardship of jails, the penalties and hard conditions of life in Indian jails are not to be experienced by them; that they will have institutions meant solely for them, manned and officered by their own men, with nothing of the hardships of ordinary Civil prisons. I do not think that this would augur well for the military. In any case, the public at large should view such a scheme with a good deal of concern and anxiety.

Sir, if this Bill is passed into law, as I am sure it will be in the next few minutes, it will involve additional financial burden on the exchequer. If military prisons are to be set up in different parts of India at the present moment with special officers and personnel for every prison, then, Sir, we may be called upon to foot a bill which will be very heavy, and what is the justification for asking the exchequer or rather the Indian taxpayer to meet that additional bill? If, on the other hand, Government remove a portion of the ordinary civil prisoners to certain segregated areas and set free a number of civil prisons hitherto occupied by them, then, of course, the economic burden might be lightened. We have not been told clearly about the scheme of the Government, the number of prisons they want to set up immediately

and the amount that will be involved in it. I expected that in the speech some such indication would be given but in the absence of these data how do you expect us to pass this Bill just now?

Sir, this is not a very small Bill. It has got several clauses and I expected, Sir, that the Honourable Member would give the House greater details in his speech on the points on which we naturally desire information. I want to know from the Honourable Member in charge of this Bill if the cost of establishing these prisons and the cost of running their administration would be met by the Defence Department or by the general department of the Government of India. There are, for instance, Centrally Administered Areas and for them, of course, the Central Government is the direct body which will have to meet the expenses but I want to know whether, in the military prisons that might be set up in the different provinces, the Central Government is going to meet all the expenses or whether the Provincial Governments would be called upon to meet them or whether the expenditure is going to be met jointly by the Provincial and the Central Governments. If the decision of the Government is that all such expenses would be met jointly by the Centre and by the Provinces, the question would naturally arise, what percentage will be borne by the Centre and what percentage would be borne by the respective Provinces where these prisons will be set up?

Then, Sir, the question would arise. when you are going to set up a distinct class of prisons for these military people, what about the officers of these prisons and the judges? Would the ordinary judges try the cases or the military courts? I know that courts martial are set up by the Defence Department. Are these people to be tried by the ordinary magistracy? The ordinary judiciary or magistracy may be empowered to have summary jurisdiction. This has been done in some places now. You have not got military courts everywhere. In such cases, special magistrates are appointed and empowered to try military people and convict them if necessary. For the purpose of holding judicial inquiries, the military authorities have occasionally requisitioned the services of the ordinary magistracy and the judiciary. Now,

5 P.M. when you are going to have a distinct class of prisons with a distinct set of administration, you ought to give us some idea about the prison officers and their appointing authority. In this connection, a lot of other considerations would also arise

Mr. President (The Honourable Sir Abdur Rahim) The Honourable Member can continue his speech on the next day.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 3rd March, 1943.

LEGISLATIVE ASSEMBLY

Wednesday, 3rd March, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. Geoffrey Stephen Bozman, C.I.E., M.L.A., (Secretary, Indians Overseas Department).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

EXTENSION OF THE PUNJAB ENTERTAINMENT DUTY ACT TO DELHI PROVINCE.

237. *Mr. Muhammad Azhar Ali: Will the Honourable the Finance Member please state if it is a fact that the Punjab Entertainments Duty Act, 1936, as extended to the Province of Delhi was brought into force from the 1st of January, 1940? If not, what is the fact?

The Honourable Sir Jeremy Raisman: The answer to the first part is in the affirmative; the second part does not arise.

Mr. Muhammad Azhar Ali: Does the Honourable Member know that the Cinemas here in the city of Delhi do not observe the provisions about the sale of tickets? They always sell tickets outside for more price than that prescribed.

The Honourable Sir Jeremy Raisman: So far as the Excise Authorities in Delhi have been able to ascertain there is no reason to believe that the Managers of any of the places of entertainment in Delhi are guilty of malpractices of the kinds suggested by the Honourable Member.

Mr. Muhammad Azhar Ali: Has the Honourable Member or the Department received any application or petition from the public on the subject?

The Honourable Sir Jeremy Raisman: I have not received any application, but it has been brought to my notice that it is suggested that certain mal-practices are taking place. I called for enquiries to be made by the local authorities and as far as we could discover it is not the management of any cinema which is responsible for these mal-practices; but it is possible that unauthorised persons obtained cinema tickets and then sold them again outside.

Mr. Muhammad Azhar Ali: Will the Government take any action against those people and make enquiries?

The Honourable Sir Jeremy Raisman: I am not sure what action could be taken but I will look into that.

WAR VACANCIES IN THE SECRETARIAT.

238. *Mr. Muhammad Azhar Ali: (a) Will the Honourable the Home Member please state the number of appointments created for the duration of the war for the Secretariat non-gazetted staff and Secretariat gazetted staff up to the rank of Assistant Secretaries?

(b) How many of these appointments have been filled by promotion of men from the lower grades, separately?

(c) What is the maximum and minimum amount of monetary gain involved for men in each grade, separately? What is the difference of pay of the persons concerned before and after the promotion?

Mr. V. Sahai: The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

**CRIMINAL INVESTIGATION DEPARTMENT SPECIAL STAFF ATTACHED TO THE DEFENCE
DEPARTMENT AT LAHORE.**

239. *Bhai Parma Nand: Will the War Secretary be pleased to state:

- (a) the total number of officers (Hindus, Muslims, and other communities), including Deputy Inspectors General, Superintendents, Deputy Superintendents, Inspectors, Sub-Inspectors and Assistant Sub-Inspectors employed in the special staff of the C. I. D. attached to the Defence Department with their headquarters at Lahore;
- (b) the total number of *chalans* filed by the special staff against Hindus, Muslims and other communities;
- (c) whether it is not a fact that the staff is shadowing mostly the Hindu employees of Government and Hindu contractors; and
- (d) whether he proposes to take steps to see that Muslim employees and Muslim contractors receive equivalent attention?

Mr. C. M. Trivedi: (a) The total staff is, at present, 27 of whom 11 are Hindus, 13 are Muslims and 4 are of other communities.

(b) The total number of *chalans* filed by the special staff up to the 31st December, 1942 is 63 of which 31 have been against Hindus, 13 against Muslims and 12 against other communities. In addition seven cases have been put into court in which the accused belong to more than one community. In these seven cases, nine accused have been Hindus, nine Muslims and six of other communities.

(c) Government have no reason to believe that this is so.

(d) Does not arise.

**DISTINCTION *re* SALARY BETWEEN THE RE-EMPLOYED RETIRED CLERKS OF DEFENCE
DEPARTMENT AND THE MILITARY ACCOUNTS DEPARTMENT.**

240. *Bhai Parma Nand: (a) Will the War Secretary be pleased to state the idea underlying Army Instruction (India) No. 84 of 1941 regarding salary to be received by a retired civilian of the Defence Department on his re-employment as an Upper Division Clerk in the War Department?

(b) Is he aware that the retired civilian clerks of the Military Accounts Department, when re-employed, are getting their original pay consisting of pension *plus* the difference between the substantive pay and the pension, so as to make the total amount of their salary equal to their substantive pay at the time of retirement?

(c) If the answer to (b) be in the affirmative, why is a distinction made between the retired clerks who volunteered their services with long experience, and the Military Accounts Clerks?

Mr. C. M. Trivedi: (a) and (c). Army Instruction (India) No. 84 of 1941, which has since been superseded by Army Instruction (India) No. 412 of 1942 was designed to secure the services of the personnel required at the minimum cost to Government. I will examine the question whether the terms of re-employment of retired civilians in the Defence Services should not be assimilated to the terms sanctioned for the re-employment of retired civilians in the Military Accounts Department.

(b) Yes, Sir.

**TRANSFER OF MAJOR HAZELLES FROM CAWNPORE TO THE ORDNANCE DEPOT,
DELHI FORT.**

†241. *Dr. Sir Zia Uddin Ahmad: (a) Will the War Secretary please state the date of the transfer of Major Hazelles from Cawnpore to the Ordnance Depot, Delhi Fort?

(b) Was there any complaint regarding his work at Cawnpore?

(c) What was the percentage of rejection of the goods tendered for inspection before and after his posting in Delhi?

†Answer to this question laid on the table, the questioner being absent.

(d) Is the large percentage of rejection due to closer honest scrutiny or for other reasons?

(e) Is there any system by which the working of an officer can be checked?

(f) Is there any system for redressing the grievances of a contractor as far as inspection is concerned?

Mr. C. M. Trivedi: (a) Major Hazelles was transferred from Cawnpore to Delhi on the 15th of January, 1943.

(b) No, Sir.

(c) During the three months of October, November and December, 1942, the average percentage of rejections was 25.19. From the 20th of January, 1943 to the 20th of February, 1943, the average percentage was 25.42.

(d) The average percentage of rejections has only risen by 23 per cent. and this part of the question, therefore, hardly arises.

(e) Yes. India is divided into five areas for inspection purposes and each area is in charge of a senior officer whose duty it is to check the work of the officers under him. In addition a staff of standardisation officers is based on Headquarters at Cawnpore. The duty of these officers is to tour all Ordnance Depots and ensure that a uniform standard of quality is maintained.

(f) Yes. The contractors have a right of appeal first to the officer in charge of the area and then, if not satisfied, to the Controller General of Inspection who is frequently on tour and gives the contractors an opportunity of submitting their grievances.

THE DELHI MUSLIM WAKFS BILL.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I beg to move:

"That the Bill to provide for the better administration of Muslim Wakfs in the Province of Delhi, as reported by the Joint Committee, be taken into consideration."

Sir, in moving the motion I have to thank various personalities who helped me in the passage of this Bill, but I want to reserve this right for a later stage. I want to confine myself to the motion before the House. This Bill, as it has emerged from the Select Committee, has been much improved, but there has been some omission. There has been an overwhelming number of opinions that the Law of Limitation should not be applied to the Wakf properties. It has also been suggested that in this connection the Privy Council has held that the Law of Limitation, so far as the Wakf properties are concerned, does not apply. The Government has also made special provisions to safeguard their interests so far as their property is concerned. So it is necessary that this Bill should have some provision to the effect that the Law of Limitation, so far as the Wakfs are concerned, should not apply. As regards clause 65, suggestions have been made that no court fee should be charged from the Wakf properties, because these properties are the properties of God. So there should be no charge for court fees. There is another omission in this Bill. A wakf property situated in the Delhi province, if it happens to be out of the province, then in that case the authorities have got no power under this Bill to supervise that kind of wakf property. As for instance, there is a big property, say the Anarkali *sarai* situated in Lahore, in the Punjab and that is the property attached to the new *Idgah* for the upkeep of that *Idgah* and at present litigation is going on for the mutawalliship of that property. I find notices of amendments have been given to provide for this thing, so that such kind of property would be looked after by the Majlis. There was much agitation about the travelling allowance bills. The Select Committee has dropped this provision, and the Select Committee has also provided adequate representation for the interests in the Province of Delhi which was demanded. In the original Bill there was provision that if the mutawallis were found disobeying the orders of Majlis, then in that case, they would have to be proceeded against by the Majlis before a Magistrate and an ordinary fine would have served them right. But the Select Committee has provided it otherwise and that provision is a lengthy one and at the same time they have a

[Maulvi Muhammad Abdul Ghani.]

protracted provision, which will entail great hardship and also a heavy burden, of expenditure on the poor Majlis.

Take the case of audit. If the auditor goes to a mutawalli and the mutawalli defies the order of the auditor and does not produce accounts, then in that case, the Majlis would have no option but to see the help of the District Judge; not only that not for the first offence, but for repeated offences of a similar nature, that is, for repeated or persistent disobedience of the order of the Majlis, the Majlis shall seek the protection of the District Judge. You may judge very well, Sir, how this will stand in the way of the smooth working of the Majlis and the smooth relationship of the Majlis with mutawallis. No doubt the Select Committee has provided a very heavy punishment on the mutawallis for their disobeying the order of the Majlis, but an ordinary fine would have been preferred by the mutawallis than to undergo such a protracted trial before a District Judge. So, the Majlis and the mutawallis will both be put to a difficult and inconvenient position. However the majority did not favour this, and therefore we have to be satisfied with what is provided for the time being.

I find that notices of amendments have been given, about 15 in number. Out of these amendments, many suggest minor changes and I hope the Honourable the Law Member will accept those amendments in such a way as not to affect the position of wakfs, rather the Bill will be improved. In clause 25, I find that there is provision of general powers and duties of the Majlis concentrated in one place. But all such powers have provision in their support which are scattered in different places in the Act. There are certain provisions in clause 25(3) which have not the support of a specific provision of law. In part (h) of sub-clause (3) there is provision for depositing wakf money in the hands of the mutawalli in any bank approved by the Provincial Government. This is the sum and substance of any provision made anywhere else. I find there is no provision anywhere else except the summary given here. The same is the case with respect to part (c)—“to prepare and settle its budget and to furnish copy thereof to the Provincial Government or to such authority as the Provincial Government may direct”. Such is the case with respect to part (l)—“to furnish to the Provincial Government or to such officer as the Provincial Government may appoint in this behalf any statement, report, return or other document and any information which the Provincial Government or, as the case may be, such officer may require to be furnished”. Such is the case with respect to part (n) “to direct the mutawalli of a wakf to institute in a court of law, within such time as may be fixed by the Majlis, any suit or proceeding”. There is no specific provision for the Majlis to institute any enquiry and moreover there is mention in sections 26, 28 and 31 and part (m) of sub-clause (3) of clause 25 that certain enquiries will be necessary for the Majlis before it comes to a definite decision. But there is no specific provision in the Bill to empower the Majlis to summon witnesses, to compel the attendance of witnesses and to compel the production of documents, as is clearly provided in section 27 of the N.-W. F. P. Wakf Act, in section 33 of the Bengal Wakf Act and in section 46 of the U. P. Wakf Act. Similar provision is also in the Gurdwara Act and also in the Madras Hindu Endowment Acts and also in section 14 of the Land Acquisition Act. So, I do not think that if the same power in the same words be given to the Majlis, there will be any harm. I think an amendment has been given in this respect and I hope the Honourable the Law Member will consider it and accept the same.

Clause 36 of the original Bill provided that in cases where any object of a wakf is vague or uncertain or if the object of that wakf has ceased to exist, the funds relating to that object may, with the previous sanction of the District Judge, be utilized for the purpose of imparting education to Muslims. Here in Delhi upto now this has been the practice, and schools have been

opened and are existing on the grant given by the Fatehpuri Mosque and other wakfs although there are no specific provisions in those Acts, because Fatehpuri Masjid is only a Masjid and it will stop giving such aid when money is required to be spent on the mosque itself, but if the surplus money is far beyond its requirements in that case the District Judge may consider the recommendation of the Majlis and may divert such funds for the purpose of imparting education to Muslims. These are the facts which require the consideration of the House.

The number of wakfs is very great. A list has been prepared by the Special Officer in which he says that notwithstanding any legal sanction, we ascertained the number to be 600; but the archaeological report prepared by the Government of India gives the number as 971 as far back as in 1916. From that report we find that the condition of some of the wakfs is very hopeless here. Take the case of certain mosques. On the upper storey the prayers are offered and just below the upper storey—on the ground floor—there are shops and those shops have become the property of encroachers. It is very regrettable that some of the property has passed to other hands about which no action can be taken. I am thankful to the Select Committee that they have made a provision in this Bill that steps will be taken to regain the lost property. Most of the cases—rather almost all—are between Muslims.

Income from wakfs of above Rs. 500, as has been found out, comes to Rs. 2,17,387 at present, but the income in my opinion is far more than that which has been estimated, because nobody pointed out to the Special Officer to correct the amount or correct the number of wakfs. Sir, I hope that the amendments which are few in number will be accepted by the Government and the House.

There is one more omission in the Bill. There is a provision under clause 37 which says that if there is a suit or any proceeding pending in the Court, the Court will give notice to the Majlis to look after it. But there are other kinds of proceedings started by the Collector and by the Land Acquisition Officer. The Collector, in cases of land acquisition, starts proceedings and it is not clear there that the Land Acquisition Collector will be bound to give information to the Majlis. Also if the Majlis have got no knowledge of any proceedings going on in the Court of the Land Acquisition Collector, the case may be decided *ex parte*, and in that case the Collector may very well say "Well, the Majlis should have taken the sanction of the Advocate General and then I would have allowed." In that case there will be no reply on the part of the Majlis and the interest of the public will suffer much. I hope this very modest amendment will be accepted by the House and the Government. With these few observations I move my motion that the Bill be reconsidered.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill to provide for the better administration of Muslim Wakfs in the Province of Delhi, as reported by the Joint Committee, be taken into consideration."

Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): Mr. President, I wholeheartedly support the consideration of the Bill before the House and also the amendment tabled by my Honourable friend, Maulvi Abdul Ghani Sahib.

The Honourable Sir Sultan Ahmed (Law Member): There is no amendment by him.

Maulvi Syed Murtuza Sahib Bahadur: According to his speech there is an amendment

Mr. President (The Honourable Sir Abdur Rahim): There are amendments in the name of Maulvi Abdul Ghani. The Honourable Member can make any general comments on them, if he likes.

Maulvi Syed Murtuza Sahib Bahadur: Thank you, Sir. It is admitted on all hands that our endowed properties are being mismanaged, nay they are being misappropriated by some of the mutawallis at least. So far as Hindus are concerned, they have fortified themselves against these things. They have passed

[Maulvi Syed Murtuza Sahib Bahadur.]

measures so that they may prove conducive to their endowments. As regards the Sikh community, they have succeeded in passing the well-known Gurdwara Act and everything is going on very smoothly. Unfortunately for us, our endowed properties throughout India are being mismanaged. Unfortunately for us again, the Muslim Members of Madras Legislative Assembly brought forward a measure on the same lines as that of Maulvi Abdul Ghani but it was thrown out for want of proper support.

Here, Sir, we know how things are being mismanaged. It was in connection with the mismanagement of the Committee, called the Fatehpuri Mosque Committee, that we came to realise these difficulties very well. There the Committee—we do not know when it was constituted and under what rules and regulations it was functioning—had life members to attend to its management. And what was the result? Whenever there was a vacancy the other members used to fill up that vacancy, and the Muslim public had no voice in the administration. So it was that matters went from bad to worse, so much so that a non-Muslim neighbour of the Fatehpuri Mosque has almost disfigured the mosque. When it was brought to our notice, some of us took an active part in it, brought the matter to the notice of Government, and had our meetings every Friday in that mosque. Then only the Muslims of Delhi opened their eyes. Till then, they were sleeping over the question.

Now, the other Committee, though it is functioning satisfactorily only to a certain extent, should also be improved upon a good deal. And this measure, Sir, when passed into law is surely calculated to improve not only those mosques but also all other mosques, tombs, orphanages and even burial grounds. Sir, unfortunately for us, so far as Delhi is concerned, we cannot but shed tears on the graves of our co-religionists. Though we form only seven per cent. of the population in Madras, we would not have tolerated this kind of desecration of burial grounds. I may assure the House such is the case here, and I have here cases in which mutawallis have gone to the extent of selling away burial grounds, not fearing God, not realising that they will have to face God and His Holy Prophet. These things are being done.

Now, Sir, I may sum up my speech. The endowments addressing the mutawallis say:

"Mara ba Khair-i-to ummid n'est, bad ma rasán."

"Oh! Mutawallis, I do not expect of you any good. I will be quite satisfied if you do not do me any harm."

When developed it means: "I cannot expect you to enhance the income of the property, to make improvements as regards the better management of the property, but I will be quite contented if you can leave me alone, if you can leave me in my normal condition". That is the appeal which every endowment, be it of Shias, be it of Sunnis, makes to the mutawallis thereof. Sir, with these few remarks,—I will of course have an opportunity of having my say in the third stage of the Bill—I resume my seat as I am not keeping well and consequently I cannot prolong my speech.

The Honourable Sir Sultan Ahmed: Sir, before I say anything on the Bill, I think it is fair that I should offer my heartiest congratulations on the great work that has been done by the Mover of this Bill. He has worked hard and brought forward a Bill which, after the necessary modifications made by the Select Committee, I hope will turn out to be a model Bill for the whole of India. Sir, I have known the Honourable Member for over 35 years, and I have always associated him with hard work, honesty of purpose and devotion to duty. But he has in this matter surpassed all my expectations. When the Bill was circulated it evoked criticisms of all kinds from different parts of India. But all were unanimous as to the necessity of such a Bill, and it is to his everlasting credit that he, coming from the province from which I come, should have been the first to have taken interest in the Wakfs of Delhi. I think he is entitled to our gratitude for the work that has been done by him.

Sir, as regards the Bill itself, there were three or four serious defects found by those who had to examine the Bill in different parts of the country. The first was that the Majlis proposed in the original Bill was composed of 2/3 members coming from outside Delhi. This was naturally received with a certain amount of, not only, opposition, but hostility. That I am glad to say has been put right by the Select Committee. Another objection was that the Shias were not treated fairly. That also, I am glad to say, has now been set at rest. The third was that the Bill provided a top-heavy administration. That also has been put right because the Sadr is going to be an Honorary Sadr. Similar defects in the Bill were removed by the Select Committee, and I feel confident that the Bill as it has emerged from the Select Committee will commend itself to the House as one of the finest measures that has been brought forward by the Mussalmans in this country.

As regards the amendments which have been tabled, all that I can say at present is this. With the exception of two, which are more or less printing amendments, all the other amendments have been due to misconception, and misunderstandings which I will clear up when those amendments are moved. I therefore hope and trust that while we are dealing with big things, we will not spoil a Bill like this by unnecessary and trivial amendments. It must be realized that there are various parties to a proceeding in court in this country. It is not only the Muslims who will be affected, but others also will be affected and we will have to be very careful that nothing is done by us which may rouse any suspicion in the minds of those who are not primarily concerned with the Muslim Wakfs covered by the Bill. Minor amendments which may not be necessary need not be moved, for the simple reason that if you move these amendments they will have to go to the Upper House and there some other consequential amendments may be moved and the Bill may have to be returned to this House for further consideration. I would therefore appeal to those who are going to move their amendments to confine themselves to a few which they consider important, which I may be able to explain as really covered by the other clauses of the Bill. At this stage, I do not want to say anything further.

Mr. President (The Honourable Sir Abdur Rahim): The question is

"That the Bill to provide for the better administration of Muslim Wakfs in the Province of Delhi, as reported by the Joint Committee, be taken into consideration."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The House will now consider the Bill clause by clause. I see there are no amendments to clauses 2 to 6. The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 to 6 were added to the Bill.

Maulvi Muhammad Abdul Ghani: Sir, I beg to move

The Honourable Sir Sultan Ahmed: Sir, can he move an amendment to his own Bill?

Mr. President (The Honourable Sir Abdur Rahim): There is no ruling to that effect. I know that one of my predecessors did make a remark that perhaps it is more desirable that the Mover of a motion for consideration of a Bill should leave it to some other to move any amendment which he thinks it necessary to be made. It is not that the member in charge of a Bill is in any way disabled from moving an amendment to his Bill, and I do not find any provision in the Standing Order or Rules which debars him from moving any amendment he likes, and I do not see any good reason why he should be so debarred. It may be that in some cases he may find it inconvenient to move particular amendments himself; in those cases, the Member may probably consider it more desirable that it should be moved by some other person who also has given notice of that amendment. Anyway, I do not think that Maulvi Abdul Ghani

[Mr. President.]

is debarred from moving any amendment standing in his name; but it is left to him whether he will do it himself or leave it to some other Member who also has given notice of the same amendment.

Maulvi Muhammad Abdul Ghani: Sir, notice of the amendment in my name has been given by other Members also, but I am afraid that some objection may be raised that notice on their behalf was not given in time. If no such objection is taken, then there will be no necessity for me to move. Sir, I move:

"That in part (c) of sub-clause (1) of clause 7 of the Bill, for the word 'school' the word 'schools' be substituted."

There is no necessity for a speech on this: the society is known as the schools society.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in part (c) of sub-clause (1) of clause 7 of the Bill, for the word 'school' the word 'schools' be substituted."

The Honourable Sir Sultan Ahmed: I accept the amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is

"That in part (c) of sub-clause (1) of clause 7 of the Bill, for the word 'school' the word 'schools' be substituted."

The motion was adopted.

Clause 7, as amended, was added to the Bill.

Clauses 8 to 21 were added to the Bill.

Maulvi Syed Murtuza Sahib Bahadur: With your permission, I may invite attention to one verbal change here in clause 8

Mr. President (The Honourable Sir Abdur Rahim): I cannot follow what the Honourable Member says.

Maulvi Syed Murtuza Sahib Bahadur: The word "members" should be "member".

Mr. President (The Honourable Sir Abdur Rahim): There is no amendment to that effect. If it is a printing error, it can be rectified afterwards. Clause 22.

Maulvi Muhammad Abdul Ghani: I move:

"That for sub-clause (1) of clause 22 of the Bill, the following be substituted:

"(1) No person shall be eligible for appointment as Nazir, if such person—

- (a) is not a Sunni Muslim in case of Sunni Majlis-e-Awakaf or is not a Shia Muslim in case of Shia Majlis-e-Awakaf;
- (b) has applied for being adjudged an insolvent or is an undischarged insolvent;
- (c) has been convicted of any offence under this Act;
- (d) has been convicted of any offence involving moral turpitude;
- (e) has been guilty of breach of trust;
- (f) has on any previous occasion, been removed from office under any of the provisions of this Act, or by the order of a Court for corruption or mismanagement in respect of any trust property;
- (g) is less than 25 years of age; or
- (h) holds any office of profit under, or is a Mutawalli of, any wakf."

The Nazir will be the chief executive officer of the Majlis. The Sadr will not be a salaried Sadr and therefore the only qualification hitherto provided in the clause 22 is that the Nazir should be a Sunni Muslim. I think this will not suffice, when the charge of onerous duties will be entrusted to an officer of the position and rank of Nazir. I think these qualifications will be for the guidance of the appointing authority. With these observations I move my amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That for sub-clause (1) of clause 22 of the Bill, the following be substituted:

"(1) No person shall be eligible for appointment as Nazir, if such person—

- (a) is not a Sunni Muslim in case of Sunni Majlis-e-Awakaf or is not a Shia Muslim in case of Shia Majlis-e-Awakaf;
- (b) has applied for being adjudged an insolvent or is an undischarged insolvent;
- (c) has been convicted of any offence under this Act;
- (d) has been convicted of any offence involving moral turpitude;
- (e) has been guilty of breach of trust;
- (f) has on any previous occasion, been removed from office under any of the provisions of this Act, or by the order of a Court for corruption or mismanagement in respect of any trust property;

(g) is less than 25 years of age; or

(h) holds any office of profit under, or is a Mutawalli of, any wakf."

The Honourable Sir Sultan Ahmed: Sir, I am afraid I cannot accept this amendment. By clause 21 the Majlis may appoint a person to be a Nazir. The constitution of the Majlis has been mentioned already. If you see clause 24, you will find that it is the Majlis which will from time to time determine the number, designations, grades and scales of salary and other conditions of service of its officers and servants. All that will be done by the Majlis itself, and if you have got men of responsibility, surely you will not expect your Majlis to go and appoint men of the type you want to disqualify. Of course, they will not appoint a man like that. This amendment is absolutely unnecessary. You are not giving credit to your Majlis. It is a responsible body and the only disqualification which should be mentioned is what is provided for in sub-clause (1).

Maulvi Muhammad Abdul Ghani: May I seek some information from the Honourable the Law Member? The first Nazir is going to be appointed by the Chief Commissioner of the Provincial Government of Delhi and the Majlis will not be in existence then. What will happen so far as the conditions of service of the Nazir are concerned? What will be the guiding principle for the Deputy Commissioner or the Chief Commissioner when they appoint the Nazir?

The Honourable Sir Sultan Ahmed: I can give that assurance that the Chief Commissioner will not appoint anybody who is disqualified.

Maulvi Muhammad Abdul Ghani: I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Clause 22 was added to the Bill.

Clauses 23 and 24 were added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): Clause 25.

Maulvi Muhammad Abdul Ghani: I beg to move:

"That in sub-clause (1) of clause 25 of the Bill, after the word 'Province' the words 'and of property of certain wakfs situated beyond the limits of the Delhi Province' be inserted."

I have already explained during the consideration stage that there may be some wakf properties situated outside the Delhi Province and I think that these words, if inserted in sub-clause (1) of clause 25, will help the Majlis to control and administer such wakfs situated outside the limits of the Delhi Province. For instance, there is a big wakf property, a big Sarai called Anarkali Sarai which is part of the wakf property of the new Idgah. For the upkeep and maintenance of that Idgah, it was gifted by a late merchant Mian Muhammad Shafi of Lahore. I hope that this amendment will be accepted.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in sub-clause (1) of clause 25 of the Bill, after the word 'Province' the words 'and of property of' certain wakfs situated beyond the limits of the Delhi Province' be inserted."

The Honourable Sir Sultan Ahmed: I am afraid I cannot accept this amendment. The language of the amendment is "and of property of certain wakfs situated beyond the limits of the Delhi Province". If it means property of certain wakfs which are situated outside the Delhi Province, then this amendment is *ultra vires*.

Maulvi Muhammad Abdul Ghani: The wakfs are here.

The Honourable Sir Sultan Ahmed: But the amendment as it stands will mean that. It cannot deal with wakfs situated beyond the limits of the Delhi Province. But apart from that, if it means, of property situated outside the limits of Delhi Province of certain wakfs here, then the law is that you can certainly superintend from here. What is the difficulty? There are many wakfs in one district having property in another district but the management is from the centre. What is the difficulty?

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris: Muhammadan): The words in the clause are "in the province".

The Honourable Sir Sultan Ahmed: The administration of wakfs is vested in the Majlis. You must not confuse between the subject of the wakf and the object of the wakf. The object of the wakf is here; the subject of the wakf, property and others, may be outside. It makes no difference.

Maulvi Muhammad Abdul Ghani: May I point out one difficulty? Section 92 has been repealed here, but if the property happens to be in the Punjab Province, then for that province section 92 has not been repealed and therefore the Majlis will be put in a difficulty to take the sanction of the Advocate General of that place. Therefore, I thought it necessary to bring in this amendment so that such kind of difficulty may not be placed in the way of the Majlis and the Majlis may not suffer a heavy burden of expenditure.

The Honourable Sir Sultan Ahmed: I am afraid I cannot accept this amendment for the simple reason that the Honourable Member is confusing "the subject" with "the object". That is the whole trouble. There is no difficulty in getting sanction here with respect to properties outside provided the object of the wakf is here.

Maulvi Muhammad Abdul Ghani: In view of the explanation given by the Honourable the Law Member, I beg leave to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Clause 25 was added to the Bill.

Clauses 26 to 28 were added to the Bill.

Maulvi Muhammad Abdul Ghani: I beg to move:

"That after clause 28 of the Bill, the following new clause be inserted:

"28A. For the purpose of any enquiry under this Act, the Majlis or any officer or committee authorised by the Majlis in this behalf shall have power to summon and enforce the attendance of witnesses including the parties interested, or any of them, and to compel production of documents by the same means, and so far as may be, in the same manner as is provided in the case of a Civil Court under the Code of Civil Procedure of 1908, and the provision relating to the service of summons shall apply to the service of notices thereunder."

These are not my words, these are the words of the Legislature in Bengal, in the U. P., in the N.-W. F. Province, so far as the various wakfs in those provinces are concerned. Section 27 of the N.-W. F. Province, section 33 of the Bengal Wakf Act and section 46 of the U. P. Wakf Act say the same thing. Such provision is also to be found in the case of measures dealing with other wakfs or charitable properties. I hope there will be no harm done if a similar provision is made for this Majlis also, especially when it is going to serve as a model Bill for the whole of India. Such Majlis should get some special facilities, but this is not asking for special facilities. This facility is being enjoyed under various Provincial Acts and also the Hindu Religious Endowments Act of Madras and section 14 of the Land Acquisition Act of 1894.

12 Noon.

Everywhere such a provision is to be found and the Wakf Act which was passed in 1920 also contains a provision of a similar nature. If this power is not given to the Majlis, the Majlis will have, on each occasion, to seek the help of the district officials for every disobedience of orders. So, I hope that this facility will not be denied to the Majlis, and the Law Member will agree to this amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That after clause 28 of the Bill, the following new clause be inserted:

"28A. For the purpose of any enquiry under this Act, the Majlis or any officer or committee authorised by the Majlis in this behalf shall have power to summon and enforce the attendance of witnesses including the parties interested, or any of them, and to compel production of documents by the same means, and so far as may be, in the same manner as is provided in the case of a Civil Court under the Code of Civil Procedure of 1908, and the provision relating to the service of summons shall apply to the service of notices thereunder."

Maulvi Syed Murtuza Sahib Bahadur: I strongly support the amendment moved by Maulvi Abdul Ghani. We have got precedents for this in four provinces. So far as my own Presidency is concerned, the Hindu Religious

Endowments Act is very liberal in this respect. As regards other provinces, in Bengal, where Muslims form the majority, we have got similar provisions and in U. P. the same thing takes place and also in the N.-W. F. P. where also the Muslims predominate. That being so, we will be quite just in appealing to the Law Member to kindly see his way to accept this amendment. If it is not passed, we will not be able to enforce so many things connected with the wakf. In other words, in many respects, our action will be null and void. Therefore, it is quite necessary that this amendment should be accepted by Government and I hope, that my appeal will find favour with the Law Member.

The Honourable Sir Sultan Ahmed: I am afraid I cannot accept this amendment. If the Bill is going to be a model Bill, as I hope it will be, this provision is going to ruin the Bill altogether. First of all, if the Majlis has to call for papers and documents and summon witnesses connected with the wakf, that is the nazir or mutawalli or any other person, ample provision has been made in the Bill for that purpose. If it means that outsiders who have got nothing to do with the wakf should also be summoned. . . .

Maulvi Muhammad Abdul Ghani: No, Sir. Only persons interested.

The Honourable Sir Sultan Ahmed: Then there is ample provision here already. The Majlis has got the power to call for papers and documents and so on. If the mutawalli is defiant, he will be dismissed. I thought the idea was to call others to produce documents. If that is not intended, then why are you putting in this provision. It is unnecessary.

Maulvi Muhammad Abdul Ghani: Sir, I beg to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Clauses 29 to 36 were added to the Bill.

Maulvi Muhammad Abdul Ghani: Sir, I move:

"That after sub-clause (1) of clause 37 of the Bill, the following be inserted and the existing sub-clauses (2) and (3) be re-numbered as (4) and (5):

- (2) Before any wakf property is notified for sale in execution of a decree, notice shall be given by the court to the Majlis;
- (3) Before any wakf property is notified for sale for the recovery of any revenue, cess, rates or taxes due to the Crown or to a local authority, notice shall be given to the Majlis by the Court or Collector or other person under whose order the sale is notified."

Clause 37 of the Bill speaks of a suit or proceeding pending in a court, which means the civil court but there is no mention of sale in arrears of land revenue or proceedings under the Land Acquisition Act. So, this necessary safeguard should be made here. With this view, we thought it proper to move this amendment, so that the ambiguity may be removed. I cannot say whether the word "court" includes the Collector. If it does, then well and good but it does not do so, as far as I understand it. Therefore this amendment becomes necessary. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That after sub-clause (1) of clause 37 of the Bill, the following be inserted and the existing sub-clauses (2) and (3) be re-numbered as (4) and (5):

- (2) Before any wakf property is notified for sale in execution of a decree, notice shall be given by the court to the Majlis;
- (3) Before any wakf property is notified for sale for the recovery of any revenue, cess, rates or taxes due to the Crown or to a local authority, notice shall be given to the Majlis by the Court or Collector or other person under whose order the sale is notified."

The Honourable Sir Sultan Ahmed: Sir, this amendment is due to misconception of the procedure. Sub-clause (1) of clause 37 provides:

"In every suit or proceeding * * * in respect of any wakf or property belonging to wakf * * * the Court shall issue a notice of the institution thereof to the Majlis"

Once the Majlis receives a notice and under the other clauses of the Bill becomes a party to the suit, the decree will be against the Majlis. In execution the Majlis therefore is bound to be a party and further notices of sale and attachment will all follow under the code. So, I do not see the necessity of a notice for the sale under this Bill. Notices of the sale must go to the Majlis if an execution is started against the Majlis

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): May I ask the Honourable Member what will be the position if any proceedings are pending now, before this Bill becomes an Act, because the wordings are that when a suit is instituted, then the Court is bound to give them notice? But supposing a suit has been filed and the execution proceedings are pending, what will be the position under this Bill?

The Honourable Sir Sultan Ahmed: The answer to that is obvious. If the sale takes place and the property which is affected by the wakf is sold, then the Majlis will have the right to bring a suit. That is usually done in all such cases and the Majlis will be treated on exactly the same lines as any other party.

Sir Muhammad Yamin Khan: The provisions in this Bill are that the Majlis may be informed when any suit is instituted in the court and the court will be bound to inform them, so that the Majlis may become possessed of the facts which they did not know. But the provisions of the Bill do not contemplate those cases which have already been finished but contemplates only those cases the executions of which are pending. In those cases the court is not bound under the provisions of this Bill. So, this amendment seeks only to remove this difficulty. How will they be affected?

The Honourable Sir Sultan Ahmed: The answer to that is this. If the proceedings have already been started and the stage of sale has been reached, in that case no notice can be given, otherwise if you make the Majlis a party at that time you will have to go back to the stage, when the execution started. That cannot be done.

Sir Muhammad Yamin Khan: What about the proposed sub-clause (3)? You have not replied on that point.

The Honourable Sir Sultan Ahmed: There also the position is exactly the same. There is no difficulty at all because once proceedings have been taken against the Majlis from the very initiation. They can come in. But if the proceedings have already been started and the Majlis is not a party and wants to come in at the time of the sale, then the law has amply provided for that. There is a provision under Order XXI with regard to claims cases and so on. That procedure will apply.

The amendment was, by leave of the Assembly, withdrawn.

Maulvi Muhammad Abdul Ghani: Sir, I do not want to move Amendment No. 8 but I move Amendment No. 9, which runs thus:

"That in sub-clause (3) of clause 37 of the Bill after the word 'passed' the words 'or sale held' be inserted."

In sub-clause (3) of clause 37 it is mentioned that "the decree or order passed in such suit or proceeding shall be voidable at the option of the Majlis". I think the order includes sale also but it should be put in clear words. Therefore, the words "or sale held" after the word "passed" are necessary. I think this is a consequential amendment and there will be no difficulty in its acceptance.

Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in sub-clause (3) of clause 37 of the Bill after the word 'passed' the words 'or sale held' be inserted."

The Honourable Sir Sultan Ahmed: Sir, I object to this amendment on the same ground. The words "or sale held" would have been appropriate, if the other amendments had been carried.

Maulvi Muhammad Abdul Ghani: This amendment is quite independent of other amendments, and it has nothing to do with other amendments.

The Honourable Sir Sultan Ahmed: I do not follow the Honourable Member. Sub-clause (3) runs as follows:

"If the notice required by sub-section (1) to be issued to the Majlis in respect of any suit or proceeding shall be voidable at the option of the Majlis."

Sale is in execution; that is the proceeding.

Maulvi Muhammad Abdul Ghani: Sir, in view of the explanation given by the Law Member, I withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Clause 37 was added to the Bill.

Maulvi Muhammad Abdul Ghani: Sir, I move:

“That after clause 37 of the Bill, the following new clause be added:

‘37A. (1) In the course of a proceeding under the Land Acquisition Act, 1894, the Collector, before making an award in respect of a wakf property shall issue a notice to the Majlis and shall stay further proceedings to enable it to plead as a party to the proceedings at any time within three months from the date of the receipt of the notice.

(2) Where the Majlis has reason to believe that any property under acquisition is a wakf property it may at any time before the award is made appear and plead as party to the proceedings.

(3) When the Majlis has appeared under the provisions of sub-section (2) no order shall be passed under section 31, or section 32 of the land Acquisition Act, 1894, without giving opportunity to the Majlis to be heard.

(4) The order passed under section 31 or section 32 of the Land Acquisition Act, 1894, without giving opportunity to the Majlis to be heard, shall be voidable at the option of the Majlis.”

Sir, no provision is made regarding the land acquisition proceedings in the Bill or rather clause 37 is not so clear so far as the land acquisition proceedings are concerned. Here in Delhi every day the Improvement Trust makes encroachments on the property of the wakfs, particularly the grave-yards, and litigation has been going on in various cases. To avoid this difficulty, I think the better course would be to provide expressly in the Act that in such cases when the Majlis has knowledge, the Collector should give an opportunity to the Majlis to be heard and stay the proceedings until the Majlis files its objection. With these few words I move my amendment and I hope there will be no difficulty in its acceptance.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

“That after clause 37 of the Bill, the following new clause be added:

‘37A. (1) In the course of a proceeding under the Land Acquisition Act, 1894, the Collector, before making an award in respect of a wakf property shall issue a notice to the Majlis and shall stay further proceedings to enable it to plead as a party to the proceedings at any time within three months from the date of the receipt of the notice.

(2) Where the Majlis has reason to believe that any property under acquisition is a wakf property it may at any time before the award is made appear and plead as party to the proceedings.

(3) When the Majlis has appeared under the provisions of sub-section (2) no order shall be passed under section 31, or section 32 of the land Acquisition Act, 1894, without giving opportunity to the Majlis to be heard.

(4) The order passed under section 31 or section 32 of the Land Acquisition Act, 1894, without giving opportunity to the Majlis to be heard, shall be voidable at the option of the Majlis.”

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, although I am not in favour of making many amendments in the Bill as it has emerged from the Joint Committee, I feel I must support this amendment. The way in which land acquisition proceedings are carried on under the Land Acquisition Act has become a source of greatest hardship to certain sections of the public in India and especially to the Muslims. In this very province of Delhi a regular legalized scandal has been going on in the name of acquisition of property for public purposes under the proceedings undertaken under the Land Acquisition Act. We know, Sir, that a very large number of graveyards and a very large number of mosques, which even now stand as mosques and are used up to the present day as mosques—prayers are said and congregations are held—was acquired under the Land Acquisition Act and under circumstances when the Muslim community could not even dream of what was going on. They learnt it only too late when the work of laying out the Imperial Capital of India actually started, when the contractors probably acting under instructions started demolishing these buildings overnight, so that the public might not come to know what was going on. These things went on till the public was aroused to the gravity of the situation and people took steps to see that at least the mosques are not demolished. Later on very curious things have been going

[Syed Ghulam Bhik Nairang.]

on. There are quite a number of mosques all over New Delhi and scattered also over other parts of the Delhi Province which owing to their situation in uninhabited parts of the province are not very closely looked after and every now and then encroachments are made on those mosques and when anybody takes objection he is told that this was acquired by the Government of India under the Land Acquisition Act; it is Government property. This story is a long one and the number of instances that could be adduced are very large indeed. On one occasion during my Finance Bill speech I called pointed attention to this scandalous state of things and called upon Government to wake up to the gravity of the situation and cease to claim this property of God as their property. One of these instances is that about two years ago the authorities started executing and registering a number of leases purporting to lease out mosques and some graveyards and certain other wakf properties to the Managing Committee of the Jama Masjid and in these leases they had the cheek to describe Government as the sole owner of the property. We came to know what was going on and I and some of my friends sent a registered notice to the Managing Committee of the Jama Masjid pointing out that what the Committee was being made to do was highly objectionable and if they went on with this sort of thing they would not have a face to show to the public and calling upon them to cancel all the leases which had been so far executed and registered at Government expense; and clearly notify to the Government that they were not going to accept any lease unless it was clearly admitted in the document that those wakf properties and those houses of God were not claimed by Government to be their property and that Government did not claim to be the owner thereof. Well, of course, the Managing Committee of the Jama Masjid passed a resolution to that effect and sent a regular notice to the Government. Thereupon the Government being apprised of the situation took steps to open negotiations with us. Mr. Deen, who was I believe the Superintending Engineer at the time in the Central Public Works Department, sent for me and my colleagues and had a long conversation with us and admitted that Government did not claim to be the owner of these properties. All that Government wanted was to look after these properties properly and Government was prepared to hand over those properties to a properly constituted Muslim association. After that I wrote to Mr. Deen after consulting the Muslim League Party asking him to send me a draft of the proposed agreement which he wanted the Muslim association to execute and saying that after considering the draft we would be in a position to give a definite reply. Well, Sir, I have not heard from Mr. Deen or his successor for the last one year or more.

Now, Sir, I have mentioned these facts in order to illustrate the way in which the very summary and highly unjudicial powers conferred on the Land Acquisition Officers in the matter of acquiring property for public purposes are exercised and how they trespass on the rights of the community and ride roughshod over their most tender feelings and religious rights and sentiments. I say, Sir, the enactment of a provision like this will be highly beneficial, so that the most arbitrary procedure which is prescribed by the Land Acquisition Act may not prejudicially affect the rights of Mussalmans under the Wakf Law and may prevent the development of undesirable situations in future. Sir, I support the motion.

The Honourable Sir Sultan Ahmed: So far as the substance is concerned, I do not think there can be any disagreement between my Honourable friends and myself. The difficulty has arisen perhaps because in clause 37 (1) the word "court" does not cover the case of the Land Acquisition Deputy Collector.

Syed Ghulam Bhik Nairang: The proceedings contemplated by section 37 are proceedings in a court and the Land Acquisition Officer is not a court.

The Honourable Sir Sultan Ahmed: That is exactly what I said. The difficulty has arisen because the word "court" does not cover the case of the Land

Acquisition Deputy Collector and that is the reason that this amendment has been made.

Syed Ghulam Bhik Nairang: It is simply a question of drafting.

The Honourable Sir Sultan Ahmed: I am afraid I am not quite ready with it just now because I did not consider this before I came to the House.

Syed Ghulam Bhik Nairang: We shall be prepared to have the drafting improvement made by the Official Draftsman.

Mr. President (The Honourable Sir Abdur Rahim): I think the required amendment will have to be made in the other place.

The Honourable Sir Sultan Ahmed: Yes, Sir. In that case I accept the amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That after clause 37 of the Bill, the following new clause be added:

'37A. (1) In the course of a proceeding under the Land Acquisition Act, 1894, the Collector, before making an award in respect of a wakf property shall issue a notice to the Majlis and shall stay further proceedings to enable it to plead as a party to the proceedings at any time within three months from the date of the receipt of the notice.

(2) Where the Majlis has reason to believe that any property under acquisition is a wakf property it may at any time before the award is made appear and plead as party to the proceedings.

(3) When the Majlis has appeared under the provisions of sub-section (2) no order shall be passed under section 31, or section 32 of the Land Acquisition Act, 1894, without giving opportunity to the Majlis to be heard.

(4) The order passed under section 31 or section 32 of the Land Acquisition Act, 1894, without giving opportunity to the Majlis to be heard, shall be voidable at the option of the Majlis."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That clause 38 stand part of the Bill."

The motion was adopted.

Clause 38 was added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): Clause 39:

Maulvi Muhammad Abdul Ghani: Sir, I move:

"That in clause 39 of the Bill, after the figures '1908' the words 'or under the Land Acquisition Act, 1894' be inserted."

This is merely a consequential amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved.

"That in clause 39 of the Bill, after the figures '1908' the words 'or under the Land Acquisition Act, 1894' be inserted."

The Honourable Sir Sultan Ahmed: I accept the amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 39 of the Bill, after the figures '1908' the words 'or under the Land Acquisition Act, 1894' be inserted."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That clause 39, as amended, stand part of the Bill."

The motion was adopted.

Clause 39, as amended, was added to the Bill.

Clauses 40 to 69 were added to the Bill.

Maulvi Muhammad Abdul Ghani: Sir, I move:

"That after clause 69 of the Bill, the following new clause be added:

'70. The Majlis may delegate its powers to the Sadr. member or any officer or servant and may likewise withdraw the same'."

Sir, we find that clause 68 empowers the Majlis to make bye-laws. Part (k) of sub-clause (2) of clause 68 says: "the allocation of duties to the Sadr and Members of the Majlis". There are also other subjects regarding which the Majlis can make bye-laws. But there is no specific provision here for the Majlis to delegate its power to the Sadr. It may be argued that one clause has been added giving power to the President, in case of emergency. But that is not in connection with any member. The Act provides everywhere that the Majlis will do all kinds of duties and the Majlis as expected will not be in session all along in Delhi. So, the power of delegation should be given to the Majlis. This

[Maulvi Muhammad Abdul Ghani.]

amendment provides that the Majlis may delegate power to the Sadr, member or any officer or servant and it may likewise withdraw the same. I think this amendment will not in any way affect the interests of the Government or any outside people. I hope the House will accept this amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That after clause 69 of the Bill, the following new clause be added :

'70. The Majlis may delegate its powers to the Sadr, member or any officer or servant and may likewise withdraw the same.'"

The Honourable Sir Sultan Ahmed: Sir, I had hoped that some other Members who had signed the Report of the Select Committee would also speak on this amendment. This amendment raises a very big question. The Majlis is given power to delegate its powers to anybody, he may be a servant. This is asking too much. If it had been only to Sadr, I could have understood it. In a way this power is already given to Sadr under clause 32 where in case of emergency the Sadr is empowered to exercise any power that could be exercised by the Majlis. After all the Majlis is a very big body, a very important body having extraordinary executive powers. Surely the Majlis will not be doing its work properly, if it delegates its power to any servant to do its work. I would therefore respectfully urge the Honourable Member to withdraw the amendment.

Maulvi Muhammad Abdul Ghani: I beg leave to withdraw the amendment.

The amendment was, by leave of the Assembly, withdrawn.

Clause 1 was added to the Bill. The Title and the Preamble were added to the Bill.

Maulvi Muhammad Abdul Ghani: Sir, I move that the Bill, as amended, be passed.

Sir, in moving this motion I owe a duty to thank all the Honourable Members who have helped in the easy passage of this Bill. First of all I should like to thank the Muslim League Party which accorded its sanction for this Bill; otherwise neither the Government nor anybody else was willing to hear my voice. That was the stepping-stone for the passage of this Bill. I am very much indebted to the Honourable the Home Member for his sympathetic attitude from the very beginning. He helped us and so did the Honourable Sir Feroz Khan Noon, and particularly the Honourable the Law Member who, although he has been fighting with me but after all he is a Syed and Syeds are melted soon, has helped a great deal in saving Muslim Wakfs and for that not only I but all the Muslims residing in the Province of Delhi will be indebted to him. He has helped us at the sacrifice of his health and convenience and it is due to his expert knowledge that we have been saved the trouble of adding many things to the Bill. I am also thankful to all the members of my Party who have ever supported and taken keen interest in the Bill and in the end it is the wholehearted support of most of the Honourable Members of this House which will no doubt save about two lakhs a year to the Muslim community here. Therefore the Muslim community will in future be very much indebted to all the Members of this House for such a big saving, and for improving the condition of wakf properties. Here the condition of Wakfs has been very much dilapidated as has been explained by my friend the Deputy Leader of the Muslim League Party. I remember once that a Bill like the Talkotra Masjid Bill was introduced in this House which covered a sum of Rs. 39,000 deposited in the court of the District Judge and after enquiry it was found that that was the price exclusively for mosques which still existed. It was very good on the part of the Muslim Members not to accord sanction to that Bill, otherwise the position of Muslims would have become worse throughout. So, all these things now will not happen and I know that it is not the intention of the Government to acquire places of worship and burial places, but some times it so happens due to misunderstanding on the part of Government officials that such places are

acquired and difficulties arise thereafter. This measure, which is going to be passed just now will remove those difficulties, and I hope there will be no legitimate reason for murmur against the highhandedness of the officials working under the Government, particularly the Improvement Trust, which is every now and then out to disregard the sentiments and the feelings of Muslims. Sometimes they go to such an extent that although a mosque exists, or some place of worship exists, but they or other officials do not allow even necessary repairs of such mosques to be carried out. Now the custodian will be this Majlis and it will not be less powerful than the machinery of Government officials. I hope it will safeguard the interests of these grave-yards and darghas which are sometimes the property of Wakfs, and there are Muslims who never care for Islamic precepts and they come forward and take the lease of such places on the condition that they will pay three annas or four annas a year as hire of mosques.

Since I have introduced the Bill I find that the Hindu community is also very much perturbed and they also want that the same kind of protection should be given to their temples and other charitable properties. I hope this House will give the same support to that community also. I cannot bring forward such a Bill because I happen to be a Muslim. That will be introduced by a Hindu Member and I hope there will be no difficulty in getting it passed. With these few observations I thank the Chair which has kindly heard my feeble voice and has given an opportunity to a Back Bencher like myself to see this Bill through.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill, as amended, be passed."

Syed Ghulam Bhik Nairang: Sir, I shall be very brief because I know we have a long agenda to get through. I must offer my heartiest congratulations to my Honourable friend, Maulvi Abdul Ghani, for successfully accomplishing the very arduous task which he had set himself. I cannot claim such long acquaintance and comradeship with him as the Honourable Sir Sultan Ahmed can, but from the beginning of his career in this House I have noticed that Maulvi Abdul Ghani is always after some practical work. He has done, there is no doubt, a very valuable amount of work as a Member of this House, but the most valuable and, I may say, the monumental work which he succeeded in doing is the introduction and piloting of this measure for the better administration of Muslim Wakfs in the Province of Delhi which we are happy to see at a successful termination today. He has worked very hard, very conscientiously and very devotedly, and any amount of praise that one may bestow on him for his sincere devotion to duty will be only small. I am afraid, Sir, the lion's share of the credit which remains after allotting what is due to Maulvi Muhammad Abdul Ghani, will again go to the province of Bihar, because, if anybody else has not said it, I must say that the success of the deliberations of the Joint Committee, which were long and even tiresome, was certainly due to the presence of the Honourable the Law Member in the Joint Committee. His vast knowledge of law and varied experience of its working were most valuable assets to us and our task in the Committee was very greatly facilitated by his presence, and I certainly think that if credit has to be apportioned very little remains for anybody else to claim. The major portion of it goes to the gentleman who has worked to bring the Bill into existence and to get it passed into an Act, and the remainder goes to the Honourable the Law Member.

I, of course, do not mean that the gentlemen who devoted so much thought and labour to this work in the Joint Committee are not entitled to credit, but as I happened to be one of them I should not talk of that. I congratulate the House as well, Sir, on putting this measure on the Statute Book, and I hope that posterity will thank Maulvi Muhammad Abdul Ghani the Honourable Sir Sultan Ahmed and this House for enacting such a beneficial measure for the province of Delhi.

Sir Muhammad Yamin Khan: Sir, in supporting the motion which has been moved by the Honourable the Mover of the Bill, I have to say only two words. All credit is certainly due to Maulvi Abdul Ghani Saheb who brought forward this Bill. I found that in the Select Committee not only was he ready with his Bill but he was daily always ready with a lot of amendments to his own Bill whenever he found them necessary. He was untiring in his efforts and one very good thing about him was that whenever he was reasonably opposed he always accepted the opposite view. At the same time, great credit is due to the Honourable the Law Member. Without his great knowledge and his sympathetic attitude, I do not think this Bill could have been amended as it has been. If this Bill had not been handled by him in the Select Committee, probably it would never have seen the light of day. With these few words, and thanking all who were concerned with the Bill and the Members of this House, I support the motion.

Maulvi Syed Murtuza Sahib Bahadur: Mr. President, I will of course be very brief in tendering my heart-felt congratulations to my friend, Maulvi Abdul Ghani Saheb, on his having so successfully and smoothly piloted this Bill, which is surely calculated to improve the present condition of our Wakfs in Delhi Province. I may simply address him in Persian:

"Ajereen bad barin himmat-i-mardan-i-to."

Sir, I have known him for the last 20 years or so. Though he was not a Member of this Assembly he was connected with us as a staunch Khilafat worker. Though he belongs to a different province altogether, we have been as members of one and the same province. Maulana Zafar Ali Khan will bear me out when I say that Maulvi Abdul Ghani Saheb, though he was not keeping well and fit when this work was being done by him, he applied himself wholeheartedly to it. I know he was suffering from asthma and had a cough. He had restless nights. With all that, he did not mind his sufferings and applied himself heart and soul to the work and that is why we have been offering him congratulations:

"In Kār az to āyedo maidān chuneen Kunand."

"You have Mr. Abdul Ghani Saheb conducted yourself beautifully well as regards this Bill. Your work has been attended with success and you have got credit for ever". Sir, in this respect I have to thank one officer of the head of the Local Department here. I mean the Chief Commissioner. At the outset, Sir, he was not favourably disposed towards this, when Maulana Zafar Ali Khan, Maulvi Abdul Ghani Saheb and myself waited on him in deputation. When convincing arguments were advanced by us, he was satisfied and I have every reason to say that he made a very favourable report on this Bill. So far as all other Members, European and Indian, are concerned, I have to associate myself in thanking them for having supported this measure, which is surely very beneficial to our interests.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, my friend, Maulvi Syed Murtuza, has forced me to say a few words. All the vocabulary has been exhausted in showering well deserved praise upon my friend, Maulvi Abdul Ghani, for the great task that he has accomplished, and for which all those who have been connected with this measure that is going to be placed on the Statute Book are to be congratulated.

Mr. President (The Honourable Sir Abdur Rahim): That is really outside the Bill. A good deal has been said already.

Maulana Zafar Ali Khan: I can bear out my friend, Maulvi Syed Murtuza when he says that Maulvi Abdul Ghani is an indefatigable worker. He has been suffering from asthma, and while he was lying in his cot with high fever all night, I have seen him with a pencil in his hand and piles of paper in front of him, scribbling notes on the Bill, which was a hobby with him. This question of the protection of Muslim monuments in Delhi has been exercising not only the Muslims of Delhi but the Muslims of the whole of India and the first time we came here the question of the Masjid of Fatehpuri came before

us. All the Mussalmans of Delhi were clamouring for something to be done to eradicate the evils in regard to the management of the Fatehpuri Mosque. Everybody knows that that grand Wakf was being exploited by dishonest and inefficient individuals who had actually sold the house of God to non-Muslims. The matter came before the Court and the Court adjudged those who were responsible for the administration of the Trust guilty of embezzlement and misappropriation. The case is still going on, and we hope those who plead on their behalf will succeed.

This Bill that is being passed now owes its success to Maulvi Abdul Ghani and the Honourable Sir Sultan Ahmed who fortunately both of them come from Bihar. The land of Bihar is a fertile land; it has produced great men; Syed Ali Inam was from Bihar

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member had better confine himself to the Bill.

Maulana Zafar Ali Khan: . . . and the Honourable President himself comes also from Bihar

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will confine himself to the Bill.

Maulana Zafar Ali Khan: so that Bihar has the right to call upon us to proclaim with one voice "Long live Bihar." With these words, I wholeheartedly support the Bill.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the Bill, as amended, be passed."
The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): Before I pass on to the next item on the List of Business, I wish to bring to the notice of the House what is the practice in the House of Commons regarding amendments which stand in the name of the sponsor of a Bill. As a matter of fact, the practice there goes even farther than what I have laid down this morning. Redlich in his book on Parliamentary Procedure says as follows:

"The notice paper always states in proper order the amendments of which notice has been given, priority being always granted *ceteris paribus* to those proposed by the member in charge of the Bill."

This confirms the ruling which I have given, that it is entirely open to the Member in charge of a Bill to move any amendments he chooses.

THE RECIPROCITY BILL.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Sir, I beg to move:

"That the Bill to make provisions in regard to entry, residence, the acquisition, holding or disposal of property, franchise, the holding of public office, or the carrying on of any occupation, trade, business or profession in British India by persons domiciled in the British Possessions on a basis of reciprocity, as reported by the Select Committee, be taken into consideration."

There are certain circumstances which are very favourable for the adoption of this motion for consideration of the Bill. The first is that the report is a unanimous report, that there is not the slightest dissenting voice. Another favourable circumstance is that there are no amendments to the Bill as it has emerged from the Select Committee. These are very favourable circumstances.

Before I proceed further, I should like to point out certain amendments which are important and some which are merely drafting. A few additions have been made—one about entry by air, which was not included in the original Bill. Other additions are the enjoyment of educational facilities which was not included in the original Bill. These are two important additions in the operative part of the Bill. Then there is one omission. We have omitted the words "United Kingdom" in clause 2. When the Bill was originally drafted, I had seen that the principle of reciprocity was acknowledged by section 111 of the Government of India Act,

[Mr. Govind V. Deshmukh.]

and therefore it was not necessary to make this Act applicable to United Kingdom; but as it was thought to have a comprehensive Bill on the Statute Book independent of other Acts the words were omitted, and this Bill has now been made a very comprehensive Bill, so that the statute by itself is applicable to the United Kingdom and its possessions.

The most important part to which I wish to draw the attention of the House and which I wish to emphasise is this: in clause 3 we have a proviso in the amended Bill. The clause reads:

"Persons, not being of Indian origin, domiciled in any British possession to which this Act has been applied under section 5, shall be entitled only to such rights and privileges as regards entry, travel, residence, the acquisition, holding or disposal of property, educational facilities, franchise, the holding of public office, or the carrying on of any occupation, trade, business or profession in British India as are accorded by the law or administration of such Possession to persons of Indian origin."

We have now added a proviso, which says:

"Provided that the provisions of this section relating to entry, travel and residence shall not apply to any person in the armed forces of a British Possession until the expiry of one year after the termination of the present hostilities."

This proviso was included to get over the difficulties that would crop up because of the presence of British soldiers or colonial soldiers in this land. But let us remember that when we adopted this proviso there was some sort of understanding to which I shall make a specific reference. The Report of the Select Committee says:

"The Committee when accepting this qualification of the clause desires to impress on Government their anxiety that all possible action should at once be taken to secure during the war for Indians the same rights, treatment and privileges as are accorded to members of the home forces or the forces of any other Government."

When I am emphasising this part of the clause, I hope that the Government will carry out our wishes which have been mentioned in the passage I have just read.

Another matter which I wish to emphasise and on which I want the Members of this House to focus their attention is this: while making certain amendments in clause 6, we have said:

"Except for the provision that rules made under the Act shall be made only after previous publication, the changes made are of drafting significance only. But the Committee is anxious that effective rules should be framed for application, if and when any need arises, and recommends to Government that with a view to giving the Legislature an annual opportunity of expressing its views on the working of the Act the annual review published by Government on events affecting Indians overseas, which will include details of the operation of the Act, should be presented to the Assembly by a motion in the name of the Honourable Member for the Department, made on somewhat the same lines as are followed in relation to the Report of Public Accounts Committee."

This recommendation has been made and anxiety was expressed by the Committee because, even when there are certain statutes which required rules to bring them into effect, the rules are not framed and they are postponed. Our desire is, the desire of the House would be, that the rules should be framed as early as possible so that they can be made applicable whenever a case arises, the administrative rules which have been referred to also in this Bill which would be necessary to enforce against Colonies which make discriminatory legislation or which make discrimination on account of certain administrative rules,—that we will have our rules ready. It should not be a case like this, that whenever the opportunity presents itself, then we will start making rules, or the House may by some motion or other require, if not compel, at least induce the Government to make rules. As a matter of fact, we are helping the Government to raise its own status and put itself in that attitude which is observed in ordinary dealings. We say to them, give them what they give us; do not give them anything which they do not give us. In other words, the word that has been used is "reciprocity". These are the principal and most important parts of this Report which I wish to bring to the notice of the House and I hope that other Honourable Members

also will make it a point to emphasise those portions to which I have referred. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved :

"That the Bill to make provisions in regard to entry, residence, the acquisition, holding or disposal of property, franchise, the holding of public office, or the carrying on of any occupation, trade, business or profession in British India by persons domiciled in the British Possessions on a basis of reciprocity, as reported by the Select Committee, be taken into consideration."

(At this stage, Mr. Hooseinbhoy A. Lalljee rose in his place.)

I think the Honourable Member had better begin his speech after luncheon adjournment.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock; Sir Cowasjee Jehangir (one of the Panel of Chairmen) in the Chair.

Mr. Hooseinbhoy A. Lalljee (Bombay Central Division: Muhammradan Rural): Sir, I feel that today is a very lucky day. Just before this Bill, we passed a most important Bill, known as the Muslim Wakfs Bill for the province of Delhi. You know very well that some years ago it was well nigh impossible to talk about Muslim Wakf in the Bombay Presidency or other places and today in the city of Delhi we have been also fortunate to pass that Bill. Similarly, Sir, for 25 years we have been talking about the treatment of Indians in British dominions, colonies and other places and although many a time the Government of India has been with the popular sentiment, it was well nigh impossible for them to take action because of the fact that there was no such Bill as fortunately we have today. It is no use now going into the difficulties and heart burning and the improper treatment that has been meted out to Indians in British dominions, colonies and other places, although they are subjects of His Majesty the King Emperor. It was a great pleasure for us to see that in the Select Committee we found all members present and I must specially mention the name of Sir F. E. James who was true to what his Leader said in this House. In fact, he volunteered to help us in passing this Bill and he said that the Britishers do not like any more discrimination anywhere in the British Empire. I have many times had some hard words to say about their not co-operating with us in our rights but I now readily acknowledge the good feeling that has been shown towards the rights of Indians overseas.

From the Bill, it would be seen that in every walk of life, namely, entry, travel, residence, there has been discrimination against Indians, so also in the matter of acquisition, holding and disposal of property. In some places, this has been so much prevalent that it was out of the question for Indians, whether they be great men or multi-millionaires. They could not trade or invest any of their capital in those places for the welfare of the people there or for themselves. Then with regard to enjoyment of educational facilities that question was nowhere. In the case of some of our foreign friends who have come into this country as refugees, our Government have tried their level best to accord them all educational facilities. That was quite fair and honourable but so far as the Indians in many of the colonies and dominions are concerned, this facility has been denied to them. The question of holding public office has been absolutely out of the question for any Indians, howsoever eminent and efficient they may be. In the matter of carrying on trade and business, we have lot of difficulties and recently further difficulties even now have been created. The war has not ended but all these things are still existing even when we are fighting such a great war; and so far as the franchise rights are concerned, the less said the better.

I feel that today a great change of heart has taken place here among the occupants of the Government Benches and also in the British Cabinet and the

[Mr. Hooseinbhoy A. Lalljee.]

British Parliament and this I can say as we know very well the position of our Government. I, therefore, welcome this change of policy. Let us hope that the passing of this Bill will enable our Government to see that Indians are not treated as inferior beings in any of the colonies or dominions in the matter of trade, business, etc., etc. My friend, Mr. Deshmukh, has rightly drawn attention to the proviso in section 3. Here it is provided that the provisions of this section relating to entry, travel and residence shall not apply to any person in the armed forces of a British Possession until the expiry of one year after the termination of the present hostilities. We have always shown consideration and we will always show consideration for those who come into this country and specially at the present moment when we are fighting this great war and surely we will never do anything which will show that we have been vindictive or unfair. I think my friend, Mr. Deshmukh, rightly voiced the feelings of all those present in the Select Committee when he said that the Government will take note of the fact that, if we have been willing to show consideration to those who have come into this country for the duration of the war for war purposes, our soldiers who are fighting in those places for the defence of the Empire and for the defence of the rights of all the people there will be shown the same consideration as we show here and they should ask those colonies and dominions to extend the same consideration to our people fighting the war in those places, as they are there for their protection. Sir, it is not right that our soldiers and our youngmen should not have the least impression on their minds when they are prepared to die that they have been or that they would be or that they are actually being treated as inferior beings in those countries for whose protection they are prepared to shed their blood. I think it is but fair and honourable that our Government should insist upon these considerations if those people have not already thought of conceding to them before now.

Another thing which my Honourable friend, Mr. Deshmukh, desired to place before this House and which was also agreed to and to which I accord my hearty support is this that it is due to the people of India that this question of treatment of Indians in colonies and dominions and other places should come before this House at least once a year. Sir, you know very well how often this question has worried the whole country; you know very well how often has this House and the Council of State dealt with the question of the treatment of Indians overseas; and you know very well how many times both these Houses have passed Resolutions on that subject but it has been very painful to observe that they have been without any good effect. Now, Sir, times have changed and we do not wish that when we are prepared to stand by the side of all the civilised people in all walks of life to sacrifice and do everything, our people outside this country, should meet anything but equal treatment, and it is the duty not only of this House but of the Government as well to be very careful to see what the condition of Indians overseas is. If we are asking the Government to assure us and to tell us in plain words that they will certainly place the condition of Indians overseas once at least before this House, I think we are asking nothing but something which they are bound to do and is only fair and we are, I say, asking them to do what is uppermost in our minds that they should do.

Then, Sir, the rule-making is another point on which I must say a few words. It has taken to pass this Reciprocity Bill as many as 20 years but let us hope Government will not take 20 months at the most to make rules. So efficient is our Government that if they really wish to make the rules they can do it in a very short space of time. Our feeling is that these rules should be made as soon as possible. In regard to these rules, our desire is and has been that, if ever an occasion arose, our Government can be able to use them at once. Even, the passing of this Bill will have such a salutary effect that

I hope the occasions for the use of the rules will be few and far between hereafter, unless, of course, the present mentality which has been exhibited all over that we are all equals and are fighting for the freedom of everybody unfortunately changes. Therefore, it is necessary and I request the Government to be good enough to make rules as soon as possible and keep them with the Bill to be used when necessary. I am sure if this is done this House will certainly 'consider itself very lucky today that after 25 years of agitation this humble but honourable request of the people to be put on terms of equality with all the civilised people has been conceded and that our Government has also been given the power to do so. With these words I support the motion.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I must congratulate Mr. Deshmukh on having succeeded in having this measure passed. Sir, this is a measure which is, I may say, too much overdue. I came to this House in 1928 and from that day up till now we have been hearing complaints of unfair treatment of our nationals outside. Deputations have often come to the Members of this Assembly and to the Government from those countries which are in the possession of the British Government but they have returned hopeless and they have not been successful in removing the ill-treatment of the Indian nationals who have settled abroad. Resolutions asking for their fair treatment have been moved in this House from time to time but without any good effect. It has been proved to this House and also to the public that those Indian nationals who are working outside and who are domiciled there are being very much troubled. As the public was not able to do anything for them, Members of this House moved Resolutions but the Government was feeling absolutely helpless. Whenever the Government was asked to do anything, they always said they had no weapon in their hands and so they contented themselves by saying that they would ask the British Government to do something. Promises were being given to us that they were going to find out some remedy which would be used when the Indians are badly treated there. Nothing was done, no motion was made, no Bill was passed and no remedy was provided for this trouble. When Sir Girja Shankar Bappai was holding this portfolio, certain recommendations were made to the British Government but they received no response from the Government there. Even when those people who have gone overseas showed their discontent by certain methods of strike and other methods, they have not succeeded in getting their position improved there. So far as the property is concerned, they are not allowed to purchase it there. They are told that this is highland and this is lowland and you cannot have this and you cannot have that. But if people of those British possessions come here and ask for land in New Delhi or in Simla, will it be refused to them? The British Government will then ask the Indian Government to let them have it. But this state of things continued as we had no weapon in our hands. There ought to be some weapon in our hands and I am very glad that Mr. Deshmukh has come forward and brought this very important Bill. Sir, I am also glad that in the Select Committee we were all at one and we passed it unanimously. Of course, suggestions were made and, I think, they were fully considered by the Select Committee. We have now come to the conclusion that this Bill be placed before the House for its consideration.

So far as the education is concerned there are difficulties there. These difficulties are not only as regards education, but they are there even in the case of citizenship. Indians are not recognised as full citizens. Sir, these colonies are made with Indian labour. It was the Indian labour that made these colonies and it was the Indian capital which was used for the purpose. What are they doing now? They say walk out from here. We have got a recent instance of Ceylon. What was done there? Ceylonese told the Indians "no jobs to be given to you, you should go back to India". Sir, they even asked the Indian labour to vacate Ceylon. I think the Indian Government should realize that we Indians have also certain rights. Indians have their rights and these rights

[Mr. Lalchand Navalrai.]

are to be vouchsafed by whom—the British Government and the Indian Government who are ruling the country. If we do not get help from them at this time, when will they help us. The British Government and Indian Government are not helping us in this connection. Now, this Bill has been passed. I see the attitude of the Government is changed. I am very thankful to the Government for that. After all they have come to realize that these weapons should be used. I hope they will not be left alone to become rusty. Use these weapons as in these War days the British Government may ask the Indian Government to do this thing and that thing for them. In that case the Indian Government will be in a position to ask the British Government to safeguard the Indian interests in colonies. They should not say that the demands of the Indian nationals will be considered hereafter. Everything should be mutual.

Now, Sir I do not want to take any more time of the House, as the Bill has come out from the Select Committee unanimously passed. I must lay emphasis again on two things which we urged before the Select Committee as well. The first is: power has been given by a notification to the Central Government to make and apply rules to any British possession. Now, this power which has been given to the Central Government should be utilized. The Central Government should now realize the position and they should investigate and find out which are the places where this ill-treatment is meted out to the Indians, and they should apply these rules to the persons of those countries. Power has also been given under clause 6 to the Central Government to make rules. Now, we know how these rules are made. I have at least a grievance with regard to the rules that have been made under the Defence of India Act and the manner in which they are being used. Why it is so? Because these rules were not placed before this House. They were passed by the Government of India without consultation of the Members of this House. Many of these rules are such as should not have been made at all. I am suggesting that these rules should be made in a manner which should not be detrimental to any individual case. The power to make rules has been given. In this case at least I hope the Government will make rules and will not leave them unused.

The second thing is that we should also know what are the rules and whether they are being applied or not. As a matter of fact the Select Committee is of the opinion that:

"except for the provisions that rules made under the Act shall be made only after previous publication, the changes made are of drafting significance only. But the Committee is anxious—(this is most important and here I want to lay emphasis)—that effective rules should be framed for application, if and when any need arises, and recommends to Government that with a view to giving the Legislature an annual opportunity to express its views on the working of the Act the annual review published by Government on events affecting Indians overseas, which will include details of the operation of the Act, should be presented to the Assembly by a motion in the name of the Honourable Member for the Department, made on somewhat the same lines as are followed in relation to the Report of Public Accounts."

Great stress was laid upon it that the House should be kept informed from time to time of the events that are happening in the colonies. The Government of India should be vigilant to see if there are any inconveniences experienced by Indians overseas and when the rules are made they should be placed before the House to enable it to consider whether they have been properly made and to see whether sufficient and proper use is made of them. I think Government would not allow this Act to remain a dead letter. I should think that the Government have got the experience and from their experience they have learnt what is being done with Indians, what difficulties and inconveniences they are put to and what rights are being refused to Indians. In view of all this I think the Government will not take much time to make these rules and also enquire into the events that are happening and which are detrimental to the Indians. And thereafter the whole case with full details should be placed before the House.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, I associate myself with the views expressed by the previous speakers in regard to the Reciprocity Bill which has been placed on the legislative anvil. The treatment meted out to Indians by the people in the various possessions of England throughout the world has been disgraceful. The bar sinister of colour divides the people of India from those colonies and territories which are dominated by the white race. It is a long long story of woe and misery. We were being treated like goods and chattel in South Africa which is the worst sinner in this respect. We went to Kenya, and invested millions and millions of rupees in developing the resources of that country. But a few Englishmen thought that they were God-chosen people and had the right to inhabit the healthy and fertile highlands in that country. We were turned out from there. We went to Australia, settled down there and with our labour and with our money made it a land flowing with milk and honey. But the Australians made a law that no outsider—when they speak of the outsider they mean Indian—will be permitted to settle down there. The same story may be repeated with regard to other parts of the British Empire. This war is being fought for making this world a fit place to live for decent men. Although this is a war between two civilizations, the civilization of Germany and the civilization of America and

3 P.M. England, there is very little difference between them. They tell us how-
ever that they are not only fighting for the freedom and liberty of the white races but also for the freedom and liberty of dark races. It remains to be seen after the war is over what the value of these professions is. But so far as our treatment in these British possessions is concerned, by those who dominate these lands, there is no course left open to India but to treat the South Africans, the Australians and the Kenyawallahs and others in the same way in which they treat us there. For 25 years, this war has been waged. Gandhiji suffered and suffered, but nothing came out of it in South Africa till he had to get out of it and come back to India, to carry on the struggle. The late Maulana Muhammad Ali of blessed memory fought for the rights, prerogatives and privileges of Indians in British possessions, but he died without the consolation that something is being done after all. After these 25 years, today a Bill is introduced into the Legislative Assembly and this will be passed and we will have the consolation of seeing the measure on the Statute Book, which will place some remedy at least in our hands. But as pointed out by my Honourable friend, Mr. Lalchand Navalrai, this law must not be allowed to become or to remain a dead letter. Laws are passed and measures are placed on the Statute Book, but when it comes to the question of practice, we realise that, there is no effective sanction behind it. I am afraid that this Bill when passed will still produce no change in the mentality of those who live in South Africa, of all the white magnates in Kenya, and of even those who live in Ceylon. All of them will still remain what they are and the Indians there will continue in their old position. However, it is some consolation that there is an Act of that kind. So, let me warn the Treasury Benches that Indians are not temperamentally the same today as they were yesterday. The Indians are fighting for their rights, they are fighting for their freedom, they want to be enfranchised, they want to be emancipated from foreign bondage. They expect that the world shall treat them as civilised human beings. We refuse to be treated as goods and chattels and slaves. The time has come for us to achieve independence and liberty. We shall get that freedom, we shall achieve our objective, we shall attain our goal, God willing. With these words, I support wholeheartedly the Bill moved by my Honourable friend, Mr. Deshmukh.

Mr. G. S. Bozman (Secretary, Indians Overseas Department): Sir, this appears to be a day of congratulations and perhaps I might add one to those that have been distributed in the House today by congratulating Mr. Deshmukh on the very concise and clear way in which he moved his motion today.

[Mr. G. S. Bozman.]

Possibly the reason for it has been explained by my Honourable friend, Mr. Hooseinbhoy Lalljee, and that is that Mr. Deshmukh has already been talking for 25 years and has come to the end of what he wishes to say. I think there never has been any difference between the Government and Honourable Members of this House with regard to the principle which is embodied in this Bill, namely, the principle of reciprocity. That principle has been enshrined elsewhere, as was mentioned by my Honourable friend, Mr. Deshmukh. There is no difficulty on the part of the Government in accepting that. The difference, such as it has been, has always been with regard to the practice and not with regard to the principle. Now, Sir, in the Bill which we have before us today, there are defined certain matters upon which it is desired that we should put the principle of reciprocity into practice. I do not think that the Government have any quarrel with the matters which have been defined. The only point I should like to make is that Government's attitude with regard to this Bill has been already stated in this House and that is simply this: as a reciprocity Bill, it is entirely unobjectionable. As a retaliatory Bill, it is a Bill to be regarded with care and, when it becomes an Act, to be administered with care. It cannot be denied that a measure which is purely retaliatory in its object not only puts an end to possible negotiations, but may, in certain circumstances, have a boomerang effect which was not originally intended. It must, I submit, be Government's care to see that when this Act is applied, no such adverse effect shall be caused to India by its application.

Now, Sir, there were two or three points which were raised by various speakers with regard to the Bill and with regard to the Select Committee Report. The point was raised first with regard to the treatment of Indian troops in other parts of the Empire during the war. That has been covered in this Bill by the suggestion that India will accord full freedom of action to troops from other parts of the Empire while in India, and the wish has been expressed in the Select Committee's Report that Indian troops should be accorded the same treatment elsewhere. So far as I am aware, the only part of the Empire where Indian troops are liable to a treatment different from that which is accorded to other British troops in India is South Africa. That question has already been taken up by the Government. We have been in correspondence with the Government of the Union of South Africa and every possible arrangement has been made, with the willing co-operation of the Union Government, to see that Indian troops are treated there as well as other visitors.

The next point was with regard to the rules to be framed under clause 6 of the Bill. I am afraid I am unable to accept the bouquet which my Honourable friend, Mr. Lalchand Navalrai, threw at us. He said that we knew so much already about the whole of the British Empire that we could frame rules within a week which would cover all possible cases. I should like to point out that the disabilities under which Indians suffer in other parts of the Empire vary enormously both in quantity and in quality and it must, therefore, be our task to frame rules so as to provide for all different kinds of disabilities which Indians may experience in different parts of the Empire. That is not a matter which can be reduced to the form of rules within a short space of time.

Mr. Lalchand Navalrai: Within how much time at the most will the Government be able to deal with this?

Mr. G. S. Bozman: I am quite unable to say, there might, of course, appear a British colony in the middle of the Atlantic which would bring with it further problems of discrimination, and, therefore, we must be prepared for all eventualities. I can only say that we shall undertake the framing of these rules and we shall reduce them to form as quickly as we are able.

One more point was raised and that is the request of the Select Committee that a motion be made each year in this House by the Honourable Member in

charge of this Department on the presentation of the Annual Review of events affecting Indians overseas. I think the House will probably agree that the Government have never been slow in affording facilities for discussions of matters affecting Indians overseas, and this Annual Review was the result of one such discussion and has now been issued for a few years. I am very willing to place that Review on the table of the House every year. At the moment it is merely placed in the Library. I am not able, at the moment, to give an undertaking that a motion will be made on the presentation of that Review each year. It is quite clear that that is a matter upon which not merely the Government should give an opinion, but Leaders of Parties and others concerned must be consulted, but the suggestion of the Select Committee is before us and we shall most certainly give it our consideration.

I should like, Sir, before I sit down to reiterate what I said about the possible boomerang effect of retaliatory measures. I was a little disappointed that my friend, Mr. Navalrai's speech was a speech on retaliation whereas the Bill is a Bill for reciprocity, and I submit that there is a very real distinction between the two. Retaliation, at the present time, as Members in their speeches suggested, is subject to certain limitations, but let us look a little way ahead when these limitations may not be there. I would like to suggest that at that time when India's responsibilities towards her nationals overseas will be wider and perhaps weightier even than they are today that the dangers of a purely retaliatory action will require even more and more careful consideration.

Maulana Zafar Ali Khan: What is to prevent the Indians being persecuted in the colonies under British control except the fear of retaliation in India?

Mr. G. S. Bozman: My Honourable friend has made exactly the point that I was making, that is that the fear of retaliation is probably very much more effective than retaliation itself.

There was one small point on which, I think, I should make an explanation: Two Honourable Members—I think it was two, certainly one—mentioned the fact that educational facilities, which is one of the matters dealt with in this Bill, are not provided for Indians overseas. That I found a very remarkable statement and it shows, I think, the danger of discussing these overseas problems at large. The fact is that in nearly every country of which I am aware, in which Indians are settled in considerable numbers, educational facilities are available. They may not be the educational facilities that we should like to see, but educational facilities do exist and, therefore, I should urge on the House that when considering these overseas questions we should not talk at large about failures of Colonial and Dominion Governments to provide certain amenities and social services for Indians, but we should so far as it is possible bring ourselves down to earth by describing the particular country which we have in mind and by suggesting the practical measures which will produce the result we want in that particular country. Government, as you are aware, Sir, are quite willing to accept this Bill.

Mr. Chairman (Sir Cowasjee Jehangir): The question is:

"That the Bill to make provisions in regard to entry, residence, the acquisition, holding or disposal of property, franchise, the holding of public office, or the carrying on of any occupation, trade, business or profession in British India by persons domiciled in the British Possessions on a basis of reciprocity, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. Govind V. Deshmukh: Sir, I move that the Bill, as amended, be passed. In making this motion, I wish to thank those who have helped to bring this Bill in the form in which it has emerged from the Select Committee, and for that I must thank all the Members who were on the Select Committee and particularly I should thank Mr. M. S. Aney, who was then in charge of the

[Mr. Govind V. Deshmukh.]

portfolio of Indians Overseas, in this connection. When I expressed my anxiety that the Bill may be on the Statute book but it may remain a dead letter like an armour that is rusting in the armoury whereas we should like to see that the Bill when it is passed into Act is given proper effect to, it was he who suggested the form in which it has been put, and read by me, namely, that there should be an annual report and the matter should be discussed so that we will be able to learn whether the Bill has been administered or not, and if it has not been administered in regard to a particular colony, why not. I have also to thank him for rendering a valuable service in making other suggestions.

I may say, Sir, that the attitude of the Secretary was also sympathetic. After having thanked him for that and also for congratulating me, I wish to say a few words. My Honourable friend has said that it would be a laborious process to frame rules and it may take a very long time because there may be new islands in Atlantic or Pacific which he hoped would be colonized—why not, it is an enterprising and colonizing race. If that contingency arises you can take up those colonies later. But so far as South Africa, Natal, Cape Colony and Australia and other Colonies are concerned, the matter has been discussed and disqualifications have been pointed out times out of number by Resolutions, by Questions and so on. I have been taking the greatest interest from the day I have come to this House and I have made it a point always to bring these things to the notice of the Honourable Member in charge of the Department. Therefore, I say that the colonies in respect of which all the disabilities under which Indians are suffering there are well known to us, there should be no delay in framing rules in regard to them.

I am glad to learn, Sir, that the Government is in communication with the South African Government regarding the reciprocal treatment to the Indian soldiers over there. I hope the answer will be favourable. I do hope that my friend will see that, when we accepted that clause and expressed our wish that the Government should try its best to get reciprocal treatment, they incurred an obligation when they made us accept that particular clause, and it is for them to discharge that obligation, and I hope that my friend will be vigilant to see that he gets the proper sort of treatment—I will go so far as to say—that generous treatment which the forces of the Colonies receive in India.

Now, Sir, as regards educational facilities. It is rather surprising that we should be told that educational facilities are not denied. As a matter of fact I think it was a complaint of the Indians in Natal that there were no educational facilities. The Indians referred to a Convention also. I forget its name. It was in connection with a particular grant which was marked out for education and which was not utilised for the education of Indians, and it may be that there is a college to which everybody can go. But the rules of admission are such as to prevent Indian boys taking advantage of it. Of course, these particular demands regarding educational facilities, which I said were not in the Bill, were made on the suggestion of Sir Syed Raza Ali. That gentleman, it will not be denied, has very wide experience. He was in South Africa and rendered valuable service. It was on his suggestion that this particular privilege or common right was claimed by us for our Indian nationalists over there.

In conclusion, I hope, Sir, that when the rules are framed they become really effective. It may be that they may be made applicable only so far as the known colonies are concerned. They may not be made applicable to unknown colonies, and I do not desire, and it is not my contention for the present, that we should be in a retaliatory mood. All that I claim is that we should give them what they give us, and do not give them what they do not give us. That is natural. With these few remarks, I recommend that this Bill be passed.

Mr. Chairman (Sir Cowasjee Jehangir): Motion moved:

"That the Bill, as amended, be passed."

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Mr. Chairman, while I offer my congratulations to the mover of the Bill, Mr. Deshmukh, I think I shall be justified in offering congratulations to the Government of India as well for lending their support to the passage of this Bill. The complaints, Sir, which are received every now and then from overseas about the treatment meted out to Indians by Colonial Governments have been many and serious. On many occasions questions were put in this House, and debates were held on the floor of this House, in which it was pointed out that neither the Government of India nor His Majesty's Government were taking any effective steps to secure for Indians equitable and fair treatment in the Colonies, and on many such occasions concessions had to be made by the Government of India that they were powerless; that they had been carrying on negotiations with such and such a Government, but their representations had not been accepted by that Government and they were helpless. Now, I say, Sir, that on every such occasion there is an explicit or implicit admission of helplessness, of inferiority complex, and I think on each such occasion the sense of self-respect of the Government of India must have been hurt. Now it was due not only to Indians but also to the self-respect of the Government of India which was subjected to humiliation on such occasions that a measure like this should be passed, and to the extent to which it is possible to do so, this Government should arm itself with power to enforce such fair treatment of Indians abroad as can humanly be possible. Mr. Bozman was quite right when he tried to draw a distinction between reciprocity and retaliation, and I do hope that it is not the intention of anyone of us in this House to exercise such a thing as retaliation. Perhaps we are not in a position to do so. We know our limitations. But even if the amount of reciprocity which is aimed at by this Act becomes possible, if the Government of India exert themselves in the matter, first by framing the proper rules and next by keeping a vigilant look out for occasions when those rules should be enforced against any British possession, I think we shall have achieved at least a large measure of the desired object. With these few words, Sir, I support the motion that has been moved.

Mr. Hooseinbhoj A. Lalljee: Having just spoken, I have very little to say, but I do wish to congratulate Mr. Deshmukh and the Government. Benches for according us this response for the great grievances that we have suffered for the last 25 years. Sir, I will only mention one thing with regard to the statement that the Honourable the Secretary for the Department made, *viz.*, that the condition of Indians overseas was, as I understood him to say, not known fully to that Department.

Mr. G. S. Bozman: I did not say that.

Mr. Hooseinbhoj A. Lalljee: I am speaking subject to correction. Since he said that where there were enormous difficulties to get the necessary information, I took it to mean that he did not know, or his Department did not know, what were the disabilities of Indians in various colonies and dominions where at present they were residing.

Mr. G. S. Bozman: What I said was that we are well aware of the difficulties in different countries. We have, however, to determine how the rules which are to be framed are going to apply to the people concerned in those countries.

Mr. Hooseinbhoj A. Lalljee: Sir, I am very glad that this statement has been made. Three or four years ago when I put a similar question I was told by the then Secretary, Sir G. S. Bajpai, that the task involved would mean a lot of uphill work and Government did not think it worth while collecting the information required. But I am very glad that Government now has got all the information and it is but right that they should have it, because we find all over that the British Consuls and Ambassadors, as well as those of

[Mr. Hooseinbhoj A. Lalljee.]

Foreign States, are well aware of the conditions of their nationals in every nook and corner of the world. In fact, Sir, the Japanese, when they were in India, used to get all their peoples from different centres brought together once every year to find out what were their difficulties and condition, though at that time they were one of the nations enjoying the most favoured nation treaty advantages. Well, so far as this is concerned, I am glad that the Government of India are also now taking the condition of Indians into their consideration together with the disabilities from which they are suffering, and I am sure, after we have passed this Bill, they will certainly do the needful as soon as possible.

Regarding educational facilities, I have had something to do, for the last twenty years, with this aspect of colonial administration in various places. It is a fact, as you know, Sir, that we have what are called small schools in villages—where a postmaster can teach about 50 or 100 children for Rs. 4 a month—that also is an educational facility; but what I wish to point out is this, that the educational facilities we have now been giving even to refugees from countries which had nothing to do with Great Britain or the British Empire in joining in first class schools and colleges—better in some respects than even those which most of the Indians can get in India—if that can be given to our people in those countries, then I say our people there are entitled to have it.

Whatever it may be now, I have every hope that after Government have got these powers, they will use them well. Finally I congratulate all for the good will they have shown; I take it that really and honestly a great change has taken place and let me once again on behalf of overseas Indians congratulate the Government and the Mover, my friend, Mr. Deshmukh, and wish that this Bill be passed unanimously.

Mr. Chairman (Sir Cowasjee Jehangir): The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTIONS 269, 272, ETC.)

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, I am not moving motion No. 5, Civil Procedure Code (Amendment) Bill—and No. 6 Muslim Personal Law (*Shariat*) Application (Second Amendment) Bill—on the List of Business. I move:

"That the Bill further to amend the Code of Criminal Procedure, 1898, for the abolition of Session trials with the aid of assessors (*Amendment of sections 269, 272, etc.*) be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmed, Sir George Spence, Khan Bahadur Sir Abdul Hamid, Mr. Govind V. Deshmukh, Sir Sved Raza Ali, Sir Muhammad Yamin Khan, Mr. Lalchand Navalrai, Sardar Sant Singh, Mr. P. J. Griffiths, Mr. K. C. Neogy, Raja T. Manavedan, Maulvi Abdur Rasheed Choudhury and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

This Bill is intended to abolish trials with the aid of assessors. At the outset I may say a few words as to how this system of assessors came into vogue.

In the last part of the 18th century, when the East India Company codified the laws, it was the Muslim criminal jurisprudence that was prevalent in India and it was applied by all the criminal courts. At that time the East India Company found it necessary that for the English judges who were trying the cases, the help of *Mufti* and *Kazi* should be requisitioned. So it was provided in 1793 in the Regulation of that year, that in all criminal cases and trials, every judge shall sit along with a *Mufti* and a *Kazi*, and the function of the *Mufti* and *Kazi* was not only to give their opinion on the facts of the case, but to prescribe the punishment also and it was for the judge either to accept the decision of the *Mufti* and *Kazi* and act upon it or, if he did not agree, he was to report to the Nazir. That system ruled for a very very long

time in practice; but gradually as times advanced and English ideas of criminal law and jurisprudence came to have their sway in this country, and also as the English judges learned the law, it was felt that it was not necessary to have either *Kazis* or *Muftis* or Hindu and Muslim law officers: there used to be Hindu and Muslim law officers who were to give their decision through *fatwas* according to Hindu and Muhammadan law.

About the year 1830 we find that the old Muhammadan criminal jurisprudence was absolutely changed or gradually converted into the law of the land with necessary amendments which were considered by the legislatures at that time. In 1864 it was considered by the Government of that time that the retention of Hindu and Muhammadan law officers and of the *Kazis* was an unnecessary expense on the state; and from that time onwards those law officers were abolished, and the judges remained to administer the law as they found it on the Statute Book. A little before that, the Code of Criminal Procedure of 1862 was enacted, and in that Code, two gentlemen who were called assessors were kept for helping the court in arriving at a decision; but the strange thing was that their opinion was not to be considered as binding on the judge either on points of fact or on points of law.

Now, the jury system is well known and I need not dilate on it at this stage. The finding of the jury on points of fact was accepted by the judge who had to apply the law. We can understand the sense of the jury system; but as I will show in the course of my submission, some Governments and judges have opposed the abolition of this system of assessors merely on the ground that if we abolish these assessors the public would probably demand the substitution by a jury and because they do not want this jury system they want the retention of this system of assessors which means nothing in practice at all. From 1862 onwards we have got this system of two gentlemen sitting along with the judge, yawning all the time, while the evidence is recorded, some of them sleeping owing to the hot weather and when called upon by the District Judge after the close of the trial as to what opinion they have got about the persons under trial, most of them saying, just as my learned friend said, "*Jo huzoor ki rai wahi hamara rai*". Not only that, but I have seen people attending as assessors who have got absolutely no opinions of their own, and as regards people who have got some opinions of their own and considered the matter seriously—they are also treated in the same way because their opinion is not final. From 1862, we come to the Code of Criminal Procedure, 1882, when the same old two assessors were kept. Then we come to the Code of Criminal Procedure Amendment that was effected in 1923. To my astonishment, instead of giving any power to the assessors, the amendment provided for three or more assessors instead of two. The idea might have been that the presence of three or more assessors would be more effective, but in actual practice, three or more is as worthless and useless as two or less. My submission is that we have arrived at a stage when we should not keep up a farce of that type, for which there can be no justification whatever either in law or in justice.

What is the general class of people from which assessors are derived to-day? In order to pay as little as possible, a set of people in the cities are enrolled as assessors, and for convenience's sake, people from the cities are got hold of so that they may have to be paid no fare, no expenses, but only their daily allowance which may come to one rupee. How many intelligent persons, how many persons of standing, how many persons who can be expected to have any opinion of their own can be obtained in this way by paying one rupee per day?

An Honourable Member: Make it Rs. 1-8-0.

Qazi Muhammad Ahmad Kazmi: I remember the case of an assessor who during the course of trial just occasionally stood from his seat and was peeping out of the door. The Judge was offended at this and asked the assessor why he did so. The latter replied, "Excuse me, Sir. I have got one donkey, and I have got no one to look after it in my absence. So I have brought it with me. It is grazing outside and I am just peeping out to see that it does not go astray".

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Then there were two donkeys, one inside and one outside!

Qazi Muhammad Ahmad Kazmi: There is another instance which I will mention at this stage. Just before the trial the assessors were called by name. One of the villagers who was also called—even persons of the highest standing who do not answer when their names are called but are absent owing to urgent reasons, even they are prosecuted. So, ordinary persons fear the law much more and, therefore, make it a point to reach the place. This assessor happened to be ill, but he was so poor to get a medical certificate for not presenting himself at the time of being called, that he came in a cart. When he was called by the peon of the Court his relatives tied his hands and feet and passed a bamboo in between and carried him on their shoulders, before the Court. The Judge who saw that, asked what all that was. The answer was, "An assessor". The Judge said, "Go away." This is the type of assessor that we get. The House may think that I am exaggerating. But I may say there are many other Honourable Members in this House who belong to the profession of law, and also the Honourable the Law Member is here, who, I am afraid, is not going to support me. I would ask my Honourable friend whether the type of people who are made to attend the Court of Sessions is not of the kind which I have just mentioned. So far as I personally know—probably our Law Member is not satisfied with the system of jury also and he may have some bad words to say of jurors, the same as I have been saying about assessors. But it is not the jury system that I want to abolish, and for the simple reason that jurors may be improved by proper selection, by taking persons of responsibility, by throwing responsibility on the people, and you may be able to attach some value to their opinion. But about those gentlemen who have neither got an opinion of their own, nor are they selected from such a class, and even if they are selected from a class which can give an opinion, the Judge can simply brush away that opinion by saying, I differ from such and such an assessor, I agree with such and such an assessor. In most cases the Judge says the opinion of the assessor is such and such, I hold such and such an opinion and in court of appeal no value is to be attached to the opinions that are given by these gentlemen and nobody cares as to what they have said. What is the justification for this waste of time, what is the justification for this waste of money, what is the justification for continuing a system which has no sound legal basis at all?

One strange thing is that this Bill was circulated for eliciting opinion and we have got a large number of opinions in favour of this Bill. But the point is, though the people understand, our Government finds it difficult to understand. The difficulty is not that people outside do not appreciate the deficiencies, but the present Government do not seem to understand them, once they are convinced that their line is correct. The Government say this is not the proper time. Then what is the proper time for taking up such a legislation? They say, when there is peace outside. May I know what the present Government is doing when there is no peace outside? Have not the functions of the Legislature been almost wholly abandoned? Are we considering any legislation worth the name for which persons should be assembled from such long distances? It is only for dealing with measures for a few barracks here and an expansion of the coffee marketing board there that we have been called up here. Is that the function of this Legislature? You have abolished the functions of the courts. High Courts have been absolutely disabled. No case can be heard or reviewed by the High Courts which have been established in this country for dealing out justice. The people who are being tried by the present day laws are untouchables to the High Courts. A High Court Judge has no power to review or revise or hear an appeal from a special court. Who has made those laws? Is it the present Government? No. It is only the Governor General, not the Governor General in Council. The Executive Council is said to be a very important thing but when the

question of the maintenance of law and order comes in, the whole of the Council is considered to be an incompetent body who cannot even touch or consider any Bill connected with the maintenance of law and order. Probably, it is so on account of the inclusion of a large body of Indian members. That may be a reason. (*An Honourable Member*: "How is that connected with assessors?") It is connected in this way. The Government says that this is a time of war and we cannot consider an amendment to the Code of Criminal Procedure. I say, what are you doing? You are not enacting any law by means of legislation. What is the use of keeping this Legislative Assembly and dragging people from long distances only to ask us whether the coffee board should be expanded or not, or whether certain wages should be allowed to the coolies or not, or whether certain amendments should be made in the Motor Vehicle Rules. Is that the only advice to be taken from us? Are these the things for which this Assembly is meant? Have we got to abandon all sort of power over the legislation of this country, meant and intended for the maintenance of law and order? If the Governor General in Council is incompetent and if the Governor General alone should enact all this legislation, as some Members of this House seem to think, then it is better to wind up this whole business and hand over everything to the Governor General himself.

My submission is this—What are the difficulties of the Government in the way of accepting this Bill and sending it to the Select Committee. Now, the question is what support I have got for the proposition I have placed before this House. There is a very large body of opinions which have been printed and I do not propose to read all those opinions but I want to say that of all the Governments that have been consulted, the first is the Government of Panth Piploda. Without meaning any disrespect to that Government, this is the first Government which sends its opinion. I have seen every other Government to be lethargic in this respect but this Panth Piploda Government is the first to send in its opinion and it is mostly favourable opinion. Now, the next is the Government of Baluchistan and that Government has fully supported this Bill. They say:

"I have the honour to say that the Judicial Commissioner in Baluchistan and other officers and persons who have been consulted are in agreement with the Mover of the Bill. In practice, assessors in sessions trials prove of little help either to the prosecution or to the Defence and are an unnecessary burden on the public exchequer. This system of sessions trial should, therefore, be abolished and this Administration agrees with this opinion."

My friends may belittle the Governments which have supported my Bill. I will now take some of the bigger provinces. I will take the Punjab first. The Government of the Punjab is the Government which is most seriously concerned with the war effort and they have not been perplexed at all at the enactment of this legislation at this time of war. The plea of the Central Government is that these are times of war and, therefore, we should not undertake any legislation of this kind. That this view is not sound and correct is shown by the fact that the Government of the Punjab does not hold that view. Now, Sir, the Government of the Punjab says: The Government of the Punjab on the whole agrees with the general body of opinion in favour of the Bill.

[At this stage, Mr. President (the Honourable Sir Abdur Rahim) resumed the Chair.]

Now, I will come to the important opinions of those persons whose views are of value in matters of this kind. I mean the Judges of the High Court, Justice Din Muhammad, Chief Justice Douglas Young and Justice Tek Chand say:

"We entirely agree with the sponsor of this Bill that the institution of assessors should be altogether abolished as it does more harm than good. Their opinion carries no weight and is generally misleading."

They think that the institution of assessors in its present form is not of much use and may be abolished. I come now to the province which is near

[Qazi Muhammad Ahmad Kazmi.]

the Punjab—the U. P. Out of the eight judges of the High Court at Allahabad who have given their opinions on this subject, six have agreed with the object of this Bill and two have differed. It is unfortunate that two judges have differed but there is a clear majority in favour of the Bill. Collister J. says "I would abolish assessors". Allsop J. says "I agree with the principle of the Bill". Muhammad Ismail J. says "I am in favour of the abolition of sessions trials with the aid of assessors. The system has proved a failure and involves unnecessary expenditure of time and money". Now, Ismail J. has not been only a High Court Judge. He has acted as a Government Advocate in U. P. for a very long time and has acted as the Government Pleader also in his earlier days. He is a gentleman who knows the thing not only in the capacity of a Judge but also in various other capacities. Mulla.

4 P.M.

J. says:

"I entirely agree with the proposed amendment which, in my opinion, has been overdue for years. It will save a great deal of useless expenditure of public money."

Hamilton, J., an I.C.S., gentleman, says:

"It has been my experience from the very early stages of administering justice in the United Provinces. I am in favour of this Bill with the assessors provided they are not to be replaced by the jurors."

Now, this is a point which requires the consideration of the House. Some of the Judges who have expressed their views on this Bill thought that I wanted to replace these assessors with jurors. However much I may like to replace assessors by jurors, I do not know if the Government can ever agree to that because they are as much in favour of the policy of jurors as they are in their heart of hearts for the abolition of the assessors. But they are always afraid that as soon as the system of assessors is abolished, there will be a demand from the public that the system of jurors may be substituted. Now, Sir, I personally have not got much experience of the jurors. The Honourable the Law Member who will be speaking on this subject has got much more experience of the jury trials and I shall be glad to know when he replies whether he is satisfied with that system of trial, not because he is an Indian and he has been practising at the bar and also not because he was a Government Advocate whose function is to see that the people go to the gallows but as a person who must have got an experience of the jury. Personally, so far as I know, he is disappointed with that system because of the quality of the people, because of the approachability of the persons and also because it is apprehended that it is not only the question of the jurors or of the accused that weighs with the jury but there are so many other considerations which weigh with them in arriving at a decision, for it is always risky both for the defence and for the Government to leave the decision of the matter in the hands of persons who have got no experience either of criminal trials or of the procedure that is adopted in courts. That is the reason and not because he thinks that jury system is a bad system. And so far as the question of the jury system in England is concerned, people have got much to say in favour of it and I will have not the least hesitation in supporting the Government if they adopt the jury trials and pay the people for that purpose. But the question is how far, because they want to save their skin from the public by establishing jury trials, can they keep up this farce and this body of people who are absolutely of no use to us and yet we will go on with the present practice of law. I say you must be plain and you must carry on the functions of an honest man. Don't you realise that the system is doing you no good, is unnecessarily expensive to the State, and is very inconvenient to the persons who are selected as assessors. As I said before, when the annual list of assessors is prepared, every responsible man in the district would be going to his pleader to take his advice to have his name removed from the list because nobody is pleased with this system. It is a system under which persons have suffered a lot in their business. These assessors go on hearing for months and days those stories which can only appeal to the prosecution or to the defence and the complicated

points of law that are raised by the counsel for both the parties. They do not even understand the points that are raised by the counsel and they have no interest in them. It is simply a tormenting procedure which goes on from morning till evening without understanding a word of what is being done in the court and yet they are called upon in the end to deliver a verdict and to give an opinion on a thing which they have neither understood nor digested nor appreciated in the least. If they adopt the straightforward attitude of a gentleman and say, "We know nothing", then they are forced to say something. In my early days when I started the practice, I was appearing before the Court of Sessions. I was quite new and could not understand the implications of a sessions trial. The case was an ordinary case in which a man had to die under section 304. I started cross-examining the prosecution witnesses and the learned Judge said, "Why are you cross-examining them? Have they said anything against you?" I was very much encouraged and stopped cross-examination. All the prosecution witnesses finished in a very short time. After the case was over, the learned Judge addressed the assessors. He said, "Look here, a man has died and a lathi has been produced by the prosecution by which it is said that he was killed. What is your opinion? Was he killed or not? There are certain persons who are brought before the court and it is said that they are guilty men. Now, let me know whether these persons killed that man". The assessors said, "Yes, they might have". The Judge said, "Why do you say 'might have'? Why don't you say that they did kill the man? Look here, the lathi is here and a person has died. It is alleged by the defence that the death was caused by the fall of a yoke; no yoke has been produced. Under these circumstances, have these men killed him or not?" They said, "They might have". The Judge said, "No, be definite because the court wants a definite opinion". And the definite opinion was that they killed that man with the lathi and at once the sentence of death was passed. So, what is the use of having these assessors who only say "They might have killed the man". My first experience was simply disgusting of these assessors.

Now, Sir, I was just mentioning the opinions of the Judges of the High Court. The Honourable the President has also been in practice and I would also appeal to him to give us an idea of his experience of the assessors. Now, Sir, Mathur, J. says:

"In my opinion the institution of assessors serves no useful purpose. It rather tends to wastage of public time and money. I will therefore support the Bill."

Now, these are one or two big provinces, the Judges and the Government officials of which have fully supported this Bill. Now, Sir, I may take the Government of Madras first. So far as the legal acumen is concerned the Madras High Court has got a very good reputation and without any prejudice to my Honourable friend from Sind I would say that they stand in the legal domain almost first or at least among the first.

The Honourable Sir Sultan Ahmed (Law Member): All are first!

Qazi Muhammad Ahmad Kazmi: I would prefer Allahabad to be the first. But any way, they are among the first so far as the legal acumen is concerned. The Government of Madras says:

"This Government agrees with the Honourable Judges of the High Court and other opinions expressed in support of the Bill."

They, however, desire to point out that the Bill will not be complete unless consequential amendments are made. As a matter of fact, this opinion has given a certain amount of help to solve the problem. Further, they give full support to the Bill. Similar is the case with the Government of Assam. Similar is the case with Bihar . . .

The Honourable Sir Sultan Ahmed: No, no. Just see, don't say that.

Qazi Muhammad Ahmad Kazmi: Judges of the High Court of the Bihar have not supported the Bill. This is the only province from which I have heard a Judge saying that he has received help from the opinions of assessors. I do not consider this as a good ground to oppose the Bill, otherwise I would have produced before this House a voluminous judicial report of Bihar. In

[Qazi Muhammad Ahmad Kazmi.]

Bihar this matter of jury system of trial by Sessions has been a subject of scrutiny for a very long time, and I am sorry that either the Government or the Honourable Judges have not probably used that voluminous document of evidence that comes in support of the abolition of the assessors. If you just have perusal of the Report on the administration of justice in Bihar, then from year after year you will find that they give figures regarding the cases referred to Sessions Judges, in how many cases he agreed with them and in how many cases, partially agreed and partially differed. The number of cases in which he has differed from the assessors will probably be larger. Almost every judge with the exception of one or two has in this Judicial report said that the system of assessors is absolutely useless and is merely a waste of time and money. It is of no help in arriving at a decision where necessary for the purpose of a case.

Then there remain two Provinces, namely, Bengal and Bombay. The Governments of these two Provinces are opposed to the Bill. But let me place before this Honourable House the motives which lie behind their opposition to this motion. Are they really enamoured of the system and want to support it on account of some intrinsic matter or it is on account of certain other considerations that they have thought that this matter must be shelved off. I would take up the opinion of the Government of Bombay first. They say:

"Further it is feared that the abrogation of the system of assessors may lead, whatever the authorities' intentions, to a demand for its substitution by the Jury system which can be a real obstacle in the way of justice sometimes. For these reasons I am directed to say that the Government is opposed to the amendment suggested."

How far this fear has stood in the way of opposing the Bill? If they are really opposed to the Bill why have they not the courage to say that they have opposed the Bill and the primary Jury system should be abolished? Why should they put the poor tax payer to this unnecessary expense, inconvenience to the people who have got to attend the Court and inconvenience to the lawyers, parties concerned and the Judges; only because they want to keep up this farcical show? That is the chief motive which has induced the Bombay Government to oppose the provisions of this amending Bill. When you go to the Judges you find them straightaway—more straightaway and still opposing the Bill for the same reason. They say:

"I am directed by the Honourable the Chief Justice and Judges to say that Their Lordships think that the Bill represents a retrograde step."

How it is a retrograde step, because they think it proper to stop the jury system. Their Lordships think that the Bill represents a retrograde step. But very much can be said for substituting trial by jury for trial by assessors. Until that is done assessors will serve no useful purpose. Is there any difference of opinion so far as this point is concerned between myself, the Government of India and the Government of Bombay and Judges of the High Court? I say the Government of India is of opinion that trial by jury should be abolished: it should not be maintained. The Judges of the High Court of Bombay say that trial by jury is the proper step which must be adopted by the Government. But as that is not possible, let it remain where it is. That is in the meantime they want this farce to be kept up. The opinion of everybody can be judged by us, even by a layman on its merits. Can any body say and maintain that even in the light of the opinions that have been expressed by the learned Judges of the High Court of Bombay that this institution of assessors should be maintained?

Now, I come to the Province of Bengal. These are two Provinces where probably the administration of East India Company with English ideas was adopted much earlier than in other Provinces and probably on account of these ideas, they have got a greater desire for the jury system than other Provinces, Bihar also has got the same desire to some extent. We in the United Provinces invited opinions during the days of Congress Government about the jury system. There was a lot of discussion on the matter, and the Congress Government had to drop the question of extending the jury system to all the

districts. The same happened in Bihar during the time of the Congress Government. It was at that time that so many opinions were collected in Bihar regarding the merits and demerits of the system of trial with assessors and trial with the aid of jury. Coming to the opinions of Bengal, they say:

"The criticism which has been made of the opinions of assessors might be made in many cases in respect of the verdicts of juries, though these have of course a considerable degree of finality. This Government accordingly agree with the High Court that it is most undesirable to repeal those sections of the Code of Criminal Procedure which permit trial with the aid of assessors."

Sir, in this whole opinion, I would just beg of the House to find out a word in support of the intrinsic merits of the system of trial with the aid of assessors. They are speaking of something else absolutely irrelevant for the enquiry that we have before us. They say that the criticism which has been made of the opinions of assessors might be made in many cases in respect of verdict of juries. They are satisfied that so far as the verdicts of juries are concerned, they are subject to the same criticism. But they do not say that the criticism is wrong. They do not come forward and say that the criticism is absolutely baseless. Do they say a word in support of the proposition that the criticism is wrong, that the criticism is baseless? Then they say that though of course the system of trial by juries has a considerable degree of finality, they agree with the High Court that it is most undesirable to repeal those sections of the Criminal Procedure which permit trial with the aid of assessors. Well, Sir, in my humble opinion, this does not follow logically from what they said before. They say that the thing is subject to the same criticism, it cannot be defended, but because the verdict of juries is final, therefore we must retain a body of people whose opinions have got absolutely no value and who are unnecessarily to be troubled and paid at the public expense and still their opinions are to be acted or not by the Judge who is trying these cases. This is a conclusion which, to my mind, seems to be thoroughly wrong and I submit that the Government of Bengal have taken an untenable position. Unlike the Government of Bombay which introduced some sentences which are liable to criticism, the Judges of the High Court have taken care to see that no criticism can be levelled against the opinions that are given by them. I do not know whether the entire opinions of the Judges of the High Court of Calcutta are given here or only an extract from their opinions. They lay great stress on this that it is most undesirable to repeal those sections of the Criminal Procedure Code which permit trial with the aid of assessors. Why? Are they valuable opinions? Have they got any value? Have they got any weight? Do they help in arriving at correct decisions? Not a word is said. There are two or three more opinions which have been received from Bengal. Let us see what the public of Bengal have got to say about this. The Incorporated Law Society of Calcutta say:

"The Council of my Society approves of the said Bill and is of opinion that Sessions trials with the aid of assessors should be abolished. The presence of assessors at a sessions trial is of no use as under section 309 of the Code of Criminal Procedure the Judge is not bound to conform to the opinions of the assessors."

Then there is the opinion of the District Judge of 24-Parganas. He says that trial by jury is also very unsatisfactory as practised in this country.

Then the next opinion is from the Bar Library Club, Calcutta, which say:

"I beg to state that the Calcutta Bar is of opinion that it is just and proper that the system of sessions trial with the aid of assessors should be abolished. The Bar also is in agreement with the view in the Statement of Objects and Reasons appended to the Bill that a Sessions trial with the aid of assessors is nothing, but a farce and entails useless burden on the public purse. The Calcutta Bar also agrees with the view of the Mover of the Bill that the system of Sessions trials with the aid of Assessors provides no facility in arriving at a decision by a Judge in a particular case. Experience of the working of this system shows that the Judges who are all trained and versed in Criminal Law and procedure, more often than not, simply disregard the opinion of assessors, which in the majority of cases, is of not much material value or assistance to them. Assessors are a useless appendage to Courts and the Calcutta Bar agrees with the view that they are of no profit to the prosecution or the defence or the Judge."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already read a lot of these opinions which are all before the House.

Qazi Muhammad Ahmad Kazmi: I am just referring to a few.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already referred to the opinions at length. These opinions are before Honourable Members of the House and therefore they are not to be read out *in extenso*.

Qazi Muhammad Ahmad Kazmi: They are all expected to read. I shall only refer in brief.

Mr. President (The Honourable Sir Abdur Rahim): But the Honourable Member has already referred to them at great length.

Qazi Muhammad Ahmad Kazmi: I will not do so in future. I have dealt with almost all the important opinions of all Governments. There remains the very important Government of Sind, which, I am afraid, if I do not refer to, my learned friend may have something to say against it. This Sind Government is an appendage of the Government of Bombay. I do not hold a better opinion of the Government of Sind than I do of the Government of Bombay itself. Even there let us see what the Bar Association has got to say. I will not read the whole opinion.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to advance his own opinion.

Qazi Muhammad Ahmad Kazmi: They do not attach much weight to my opinion. The Government of Sind also has opposed it on the same ground as the Government of Bombay.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not then go on repeating it.

Qazi Muhammad Ahmad Kazmi: They apprehend that abolition of sessions trial by assessors might give rise to a demand by the public for trial by jury. Even the Chief Justice of the Judicial Commissioner's Court in Sind has fully supported this Bill and he has said:

"That the system of assessors has served no useful purpose. My experience is that in a great majority of cases in order to come to a proper decision, the judge must ignore the opinion of assessors. . . ."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better advance his own arguments.

Qazi Muhammad Ahmad Kazmi: So far as the learned Judge of Sind is concerned, he is also of the same opinion. But the question is whether the Government of India also feels any justification of the Bill or not. It will be only after the speech of the Honourable the Law Member that I will be able to understand the reasons why they are opposing the Bill. So far as I have been able to gather the Government's point of view it is that on account of the present war outside the country this legislation should not be undertaken. But, Sir, if the Government really wants to take up that attitude, I hope that in their reply they will clarify their position as to what it means—what are the difficulties which are in their way in accepting this Bill; and whether the Government really consider it proper to bring forward this Bill again after the war is over; if so, in what form? Sir, I move that the Bill may be referred to a Select Committee of this House.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1898, for the abolition of Sessions trials with the aid of assessors (*Amendment of sections 269, 272, etc.*) be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmed, Sir George Spence, Khan Bahadur Sir Abdul Hamid, Mr. Govind V. Deshmukh, Sir Syed Raza Ali, Sir Muhammad Yamin Khan, Mr. Lalchand Navalrai, Sardar Sant Singh, Mr. P. J. Griffiths, Mr. K. C. Neogy, Raja T. Manavedan, Maulvi Abdul Rasheed Choudhury and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Sir, I give my wholehearted support to the motion which has been moved by my

Honourable friend, Mr. Kazmi. It is one's experience that the opinions of assessors—whether they are educated or uneducated—count for nothing and I may say on behalf of the educated assessors that they would certainly like to do away with this sort of system because they feel that when they take the trouble of making notes of evidence and write down a reasoned opinion they are not consulted. Under such circumstances it is but proper that this system ought not to prevail.

One more point I would like to mention is that such persons who are appointed as assessors are appointed because the Administrative Officers want them to be appointed. As a matter of fact, in some provinces it is considered a mark of respect for a person to be an assessor and such persons as well as the Administrative Officers, who wish to extend their patronage to certain individuals who are really unfit to act as assessors, may very likely and properly from their point of view not support the abolition of this system of assessors.

It has also been found by experience that trials with the aid of assessors are unnecessarily prolonged for a very long time. If it is a trial with the aid of assessors, the judge practically finds that his time is being wasted—and it is not really an uncommon experience to appreciate that because the assessors are merely serving as assessors under compulsion because it is within the power of the Magistrate to make a person an assessor and compel him to serve as an assessor—and having known from his experience that the assessor's opinions are really not respected, he starts dozing and becomes absent-minded while the trial is going on. It is very undesirable to insult an educated man and we find that the educated man who is prepared to render public service is insulted when his opinion is not respected. Similarly, when one finds that persons who are uneducated and are unfit to understand law when it is being explained in a criminal trial by the counsel for prosecution or the public prosecutor—such a man may be eating *pan* if he is permitted to do so—it is in the interest of everybody that this sort of system should be abolished.

Government's plea that this is not the time when any legislation of this kind should be taken up, is not very clear. What is the implication of that? I do not think it is to be gathered from that statement that the enemy will benefit if such a legislation is undertaken and passed by the House and debated on the floor of the House. If it is the implication that they have no time as they are the most hardworked creatures, I think the House should spend some money and have a commission to investigate the matter and if it is really found that they are over-worked, the House should request the Government to appoint a few more Councillors in order to give them a little leisure. Any how speaking seriously, the Government cannot really object to this motion for referring the Bill to a Select Committee when we are there to help them and shoulder the responsibility. I, therefore, wholeheartedly support Mr. Kazmi's motion that the Bill may be referred to a Select Committee.

Mr. Lalchand Navalrai: The Bill as it has been introduced wants that the system of Assessors to sit with the judge should be abolished altogether. The Bill does not say whether any alternative proposals should be offered to the Government or not. I am not enamoured of the trials by assessors. But the point at issue, and which should be considered, is whether the system is bad, or whether the system in practice is bad.

The original object of trials by assessors was that the decision should not be that of a single man, but that he should be helped in arriving at a proper conclusion by the aid of certain persons who could give their opinions and whose opinions should be considered and then a decision arrived at.

We have now Criminal Procedure Code which provides two kinds of trials in the Sessions Court. One is by jury and the other is by assessors. First of all, it was the judges who used to give judgments without the help of anybody, but then it was considered that the public ought also have their views given

[Mr. Lalchand Navalrai.]

to the judge at least, and in some cases they should have power to associate in giving judgments themselves. It seems to me that the reason for creating assessors and jurors differently, is because in some places people are more educated and can give more help as well as express opinions which demand respect. In such cases the public have demanded the jury system. Here the judge is not the master of himself. If he disagrees, and the case is such that it should not be submitted to the High Court for decision, then ordinarily the opinion of the jury prevails, and it is only in those cases provided for in the Criminal Procedure Code where the cases go to the High Court. With regard to assessors they give their opinions only but the judge is not bound to accept them. But, Sir, my humble submission is this. It was not the intention of the Government or the Legislature that the assessors should be selected in a manner in which only those persons who have not even sufficient intellect should be selected. In other words, the system of selection is bad. If they select people of independent opinion or character, there will be then no fault with the system, because the system is founded on the basis that the arbitrary decision of one man should not be entered upon. After all, it is the life of a person at stake, and if the judge feels that he is all in all it is not the fault of the system: the fault lies in the way that the system is used.

It is true that the judge, according to the law, as is contained in section 309 of the Criminal Procedure Code, paragraph 2, has got this discretion. It is said: "The judge shall then give judgment, but in doing so shall not be bound to conform to the opinion of assessors." That is true. But it does not mean that the judge should not even consider or think that there are certain persons before him whose opinions have to be shared. In that case commentators say: "The opinions of the assessors should be recorded separately". Not only opinions but also the grounds have to be recorded. But this is not being done today. May I ask the practising members of the law whether they find the grounds recorded? They do not. Therefore, my friend the Mover should not think that I am in any way in favour of the assessors system, if it is so badly worked. If that system be improved, and these judges do not regard these people as nonentities; if they do not think they are there only to make a show or to reduce everything to a farce, then the system of assessors is not bad. I want the judge to have some help. I should think that when the assessors are there in the court, there is at least some semblance of restriction on the judge. He will realise that there are people who will understand whether he is acting arbitrarily or is paying any attention to their views. Therefore what the law says is this: "That the opinions of the assessors should be recorded separately. It is not that this record should contain a mere verdict of guilty or not guilty". That is however the practice now prevailing. But they do not conform to the practice that is required by law and by the authorities. Then it is said: "What the Court requires is not only the result arrived at by each assessor sitting on a sessions trial but, if possible, the reasons by which each assessor arrived at the result". Now this is what they do not do. If they do that then those people will feel that they have some status, in that they have been sitting for four or five days hearing the evidence and in the end they have been able to give an opinion which will have some effect. I, therefore, submit that the assessors system should not be done away with, unless a better alternative is found, either all sessions trials by jury or by a better selection of assessors. The time has now come when the assessor system should be substituted by the jury system, because under the present system, very intelligent assessors merely get disappointed to see that their opinion is given no value at all. The judges should record the reasons so that the High Court can understand whether the judges have given due weight to the opinions of the assessors though they may reject it. I, therefore, agree with my friend the Mover of the Bill that in practice the present system is absolutely

useless and serves no useful purpose and it is really waste of money and should be improved.

My friend referred to the opinion of the judges in Sind. I wish he had not read the opinion of Sir Davies, C. J. which shows how the mentality of even a Chief Justice is in giving a hint or indication to the sessions judges as to how to treat these assessors. I hope that the sessions judges will not pay any attention to it—apparently the Chief Justice considers the assessors a nonentity, and he tells the sessions judges what they should do; and if the Government thinks that such direction can be given, then there is no hope; let the whole system be done away with. This is what he says:

"The system of assessors now serves no useful purpose."

That is true, because it is practised in a particular manner. He says further:

"My experience is that in the great majority of cases, in order to come to a proper decision, the Judge must ignore the opinion of the assessors. I am in favour of the proposed abolition."

He does not want any reform: he merely says, let the system be abolished: that is exactly what the Honourable the Mover of the Bill wants. But we feel that one man's judgment is no good in these serious judicial cases. We do not say the judges are not intelligent, but they are human beings after all. The Legislature provided for two assessors. Then in 1923 they thought that two were not sufficient—they wanted more to serve as guards for the judge and watch on his doings, as it were, and they said the number must be raised to three or four. But here I am sorry to say it is a judge from my own province who says they must be abolished. But the other judge, Mr. Lobo says:

"I am against the proposed amendment. Trial of Sessions Cases in the mofussil with the aid of assessors should remain."

When he said the system should remain, he should also have said that it should be improved. He had seen the opinion of the Chief Justice and he should have said that he disagreed with that opinion and should have gone further and said that the judges should give more consideration to the opinions of assessors.

I need not read anything more; but my own opinion would be that this system serves no useful purpose and should be improved, but my Honourable friend the Mover says it should be abolished altogether. He would have been well advised to give some consequential suggestions. I do not think he wants that the judge by himself should decide cases. My Honourable friend is disappointed—everybody gets disappointed—that the assessors' opinions are not heeded. But if he thinks that one man's opinion is enough, I think his mentality is not right. I do not think he wants one man's judgment, and therefore he should have come forward with suggestions for some kind of jury system. Otherwise the whole opinion of the Legislature and the law itself will be antagonised. Of course, there are cases where the jury system also requires improvement—it all depends on the selection. I can give my own experience of how the assessors are selected in the mofussil and also in the High Court. Every year the District Judge and the Collector sit together and select the assessors. The list was prepared years ago when people were not so intelligent as now and had less education. That list was prepared, years ago, by a *tapedar*—a revenue village officer getting Rs. 30 or Rs. 40 a month—Rs. 20 in the old days as a matter of fact—and that list goes before the district magistrate and sessions judge; they sit and discuss whether the people should continue on that list; they have merely to say the list will continue. However, people who are intelligent and whose opinion is worth something and who know that their opinions are ignored and they have simply to sit under the domination of the sessions judges—those people come with applications asking "we do not want to serve as assessors: let our names be removed". Such applications are only to be considered at that time and nothing else; the remaining list consists of persons, some of whom are not even worth anything at all. People of

[Mr. Lalchand Navalrai.]

some standing rightly say "we are losing so much, why should we not follow our avocations instead of sitting to no purpose the whole day and getting nothing". Thus the list is prepared by that subordinate official, 5 P.M. and it is nominally considered and passed. How does the subordinate official prepare that list?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech next day. The House stands adjourned till 11 A.M. on Friday next.

The Assembly then adjourned till Eleven of the Clock on Friday, the 5th March, 1943.

LEGISLATIVE ASSEMBLY

Friday, 5th March, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Mr. Nivarty Sundaresan, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

CONTRACTORS FOR AERATED WATER AND ICE ON NORTH WESTERN RAILWAY.

242. *Mr. Muhammad Nauman: (a) Will the Honourable Member for Railways please give the names of contractors for aerated water and ice on the North Western Railway?

(b) Is it a fact that the present contractor is considered unfit and a great deal of complaints are being sent by the public against him?

(c) What change do Government propose so as to give satisfaction to the public?

The Honourable Sir Edward Benthall: (a) Messrs. A. & M. Wazir Ali; Messrs. Bliss & Co.; Messrs. Bihari Lall, and Messrs. Teplitz.

(b) The Honourable Member has not said to which of the four contractors he refers. Government, however, have no information that any of these four are considered unfit, or of any large number of complaints against any one of them.

(c) Government do not propose to take any action as the matter is within the competence of the North Western Railway Administration.

Mr. Muhammad Nauman: With reference to part (b), I refer to Bihari Lall. I have been told by certain people that lot of complaints have been sent to the General Manager and other authorities regarding him?

The Honourable Sir Edward Benthall: I am not aware of that.

Mr. Muhammad Nauman: Is Government prepared to make inquiries on that point?

The Honourable Sir Edward Benthall: I have made inquiries. We have not heard of any special complaints.

Mr. Lalchand Navalrai: Are the General Manager and the Headquarters staff watching the working of these contractors?

The Honourable Sir Edward Benthall: I presume so. That is his duty.

Dr. Sir Zia Uddin Ahmad: As a definite charge has been made, will the Honourable Member send a copy of this question and answer to the General Manager?

The Honourable Sir Edward Benthall: I will certainly do so.

UNSATISFACTORY CATERING ARRANGEMENT ON THE OUDH AND TIRHUT RAILWAY.

243. *Mr. Muhammad Nauman: Is the Honourable Member for Railways aware that on the Oudh and Tirhut Railway, there is no proper arrangement at all for the catering of European or Indian style food?

The Honourable Sir Edward Benthall: No.

Mr. Muhammad Nauman: May I ask what is the catering arrangement on the O and T. Railway?

The Honourable Sir Edward Benthall: The list of refreshment rooms is set out in the Railway Time Table.

Mr. Muhammad Nauman: I want to know the people who are in charge of this catering?

The Honourable Sir Edward Benthall: I should require notice of that

Dr. Sir Zia Uddin Ahmad: The Honourable Member's reply was 'No'. Does that mean that he is not aware or that the arrangements are proper?

The Honourable Sir Edward Benthall: I am not aware that the arrangements are unsatisfactory.

PERCENTAGE OF DIRECT RECRUITMENT TO CERTAIN GRADES ON RAILWAYS.

244. *Mr. H. M. Abdullah: Will the Honourable Member for Railways please state:

(a) if it is a fact that the Home Department admitted in their letter No. 3131/40-Ests.(s), dated the 10th July, 1941, that the percentage for direct recruitment of the following staff had decreased after the issue of the Home Department Resolution, dated the 4th July, 1934:

- (i) Office clerk grade II reduced from 30 per cent. to 20 per cent.;
- (ii) Guards grade III reduced from 66½ per cent. to 20 per cent.; and
- (iii) Ticket Collectors to 20 per cent.; and

(b) if he proposes to reconsider this question and have the *status quo* re-established as regards direct recruitment to higher grades which were in existence before the issue of the Government of India's Resolution, dated the 4th July, 1934?

The Honourable Sir Edward Benthall: (a) Yes, but as was explained in the letter quoted by the Honourable Member, these reservations had not in fact been worked to for some time prior to 1934.

(b) No, as I am satisfied that no injury has been done to Muslim interests.

PAUCITY OF MUSLIM OFFICERS IN KARACHI DIVISION OF NORTH WESTERN RAILWAY.

†245. *Seth Yusuf Abdoola Haroon: Will the Honourable the Railway Member please state:

(a) the number of officers employed in the Karachi Division of the North Western Railway, and the proportion of Muslims thereof; and

(b) the steps that Government propose to take to increase the number of Muslims in that Division?

The Honourable Sir Edward Benthall: (a) Thirty-two, of whom two are Muslims.

(b) Government propose to take no steps, since postings of officers to particular divisions are not made on communal considerations.

MUSLIM REPRESENTATION IN ESTABLISHMENT SECTION, KARACHI DIVISION, NORTH WESTERN RAILWAY

†246. *Seth Yusuf Abdoola Haroon: (a) Will the Honourable the Railway Member please state if there are any instructions which were issued by the General Manager, North Western Railway, Lahore, to the Karachi Division authorities in connection with the Muslim representation in the Establishment Section? If so, what action has been taken by the Karachi Division thereon?

(b) Is it a fact that Muslim clerks in the Establishment Section, Karachi Division of the North Western Railway, are put on the work of issuing passes and preparation of bills instead of dealing with staff matters? If so, what steps do Government contemplate taking to put more Muslims in the Establishment Section to deal with staff matters?

The Honourable Sir Edward Benthall: (a) The answer to the first part is in the affirmative. As regards the second part, the instructions issued were carried out.

(b) The answer to the first part is in the negative; the second part does not arise.

PROMOTION OF JUNIOR GOODS CLERKS IN KARACHI DIVISIONAL SUPERINTENDENT'S OFFICE.

†247. *Seth Yusuf Abdoola Haroon: (a) Will the Honourable the Railway Member be pleased to state whether there are any orders for promoting the

†Answer to this question laid on the table, the questioner being absent.

grade I Goods Clerks to the next higher grade irrespective of seniority? If none, what are the reasons which led to the promotion of junior Goods Clerks to work as Rate Clerks in higher grades in the Commercial Section of the Divisional Superintendent's Office, Karachi Division?

(b) Do Government propose to confirm such persons in their present grades or to make proper selection before their confirmation to give a chance to senior and efficient persons?

The Honourable Sir Edward Benthall: I have called for information and a reply will be laid on the table of the House in due course.

RELATIVE SENIORITY OF PROMOTED GRADE II GUARDS ON NORTH WESTERN RAILWAY.

248. *Mr. Lalchand Navalrai: Will the Honourable Member for Railways be pleased to state:

- (a) whether it is a fact that 50 per cent. of grade II Guards appointments on the North Western Railway are filled by direct recruitment and 50 per cent. by transfer from other branches of service, such as Train Clerks, Ticket Collectors, etc.;
- (b) if it is a fact that the employees taken from other branches and drawing more pay are placed junior to directly recruited persons drawing much less pay than their colleagues taken from other branches; if so, why;
- (c) if it is a fact that the general rules for reckoning relative seniority of employees provide that the persons transferred from one branch to another should count towards seniority the number of incremental steps by which their pay exceeds the minimum scale of the posts; if so, why Guards are given discriminatory treatment; and
- (d) if it is proposed to have uniform practice in the application of seniority rules; if not, why not?

The Honourable Sir Edward Benthall: (a) Yes.

(b) Such instances do occur, for the reason that as 50 per cent. of posts are reserved for outside recruitment, appointments are made alternately from persons in the service and from outside recruits and it is only equitable that the order in which the men are appointed as Guards should normally determine their seniority.

(c) The rule quoted by the Honourable Member does not apply to these promotions to Guards posts vide note 4 to Rule 25 General Manager's Circular No. 1 of 1927; the second part does not, therefore, arise.

(d) No, as circumstances differ and a simple rule cannot be framed to cover all of them.

Mr. Muhammad Nauman: With reference to part (a), as 50 per cent. is recruited directly and 50 per cent. indirectly, how is the quota of Muslims and other minorities maintained?

The Honourable Sir Edward Benthall: That does not arise out of this question.

Mr. Muhammad Nauman: It does arise out of part (a).

The Honourable Sir Edward Benthall: This is a question about the recruitment of Guards, not about communal composition.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether it is just and proper that the seniority of those people taken from outside should be considered over and above that of people drawn from other branches who are drawing more pay. What is the justification?

The Honourable Sir Edward Benthall: The position is that two lists are prepared. One of these is of ticket collectors and others who pass through the Walton Training School and the other is the list of people recruited directly from outside and appointments are made alternatively from the top of the respective lists.

Mr. Lalchand Navalrai: Are the qualifications of both sets of people the same or not?

The Honourable Sir Edward Benthall: The qualifications are different but they are both valuable from the point of view of the Railways.

Mr. Lalchand Navalrai: How do the qualifications differ? May I ask the Honourable Member to go into this question and see that justice is done to both sets of people, because they are doing the same work?

The Honourable Sir Edward Benthall: I think substantial justice is being done.

APPLICATION OF THE ESSENTIAL SERVICES (MAINTENANCE) ORDINANCE TO
UNCONFIRMED RAILWAY EMPLOYEES.

249. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the Railway Board have issued orders on the 10th May, 1942, stopping all confirmation of staff to which direct recruitment is made? If so, are unconfirmed employees free to resign their service? If not, why not?

(b) Does the Essential Services (Maintenance) Ordinance of 1941, apply to such unconfirmed employees as well?

(c) Have the Railway Board issued any instructions to the effect that employees who remain unconfirmed in compliance with their orders referred to in (a) may be considered to have reasonable excuse for resigning and therefore must not be proceeded with under the provisions of the Ordinance? If not, why not?

The Honourable Sir Edward Benthall: (a) As regards the first part, the orders referred to were issued on the 23rd May, 1942. As regards the second part, such persons can resign from the service with the consent of the Railway; as regards the third part, the restriction that this imposes is necessary in the interests of the war effort.

(b) Yes.

(c) No, as such instructions are not considered necessary.

Mr. Lalchand Navalrai: Is there any freedom or is the consent being given generally to resign or are there any restrictions being put on them?

The Honourable Sir Edward Benthall: That depends upon the interests of the service.

Mr. Lalchand Navalrai: Have there been any cases where consent has been refused?

The Honourable Sir Edward Benthall: Yes, Sir; I understand so.

Mr. Lalchand Navalrai: Does the Honourable Member know that many cases of that nature have happened or it is only in exceptional cases that consent is not given?

The Honourable Sir Edward Benthall: No, Sir. I have not been able to review all the cases on all the Railways.

CHEAP SHOPS FOR RAILWAY EMPLOYEES.

250. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state what commodities will be supplied to the railway employees by the cheap shops that the Railway Board propose to open?

(b) What arrangements have been made to distribute the necessaries to all employees even those in gang huts between stations, and what agency will be employed for distribution?

(c) What steps have been taken by the Railway Board to ensure that these shops have sufficient stock to meet the employees' requirements?

(d) What quantity of each commodity will be supplied, and will ration cards be issued for that supply?

(e) Will the prices of such articles be fixed monthly, quarterly or annually, and will those rates be uniform all over India or vary according to localities?

(f) By what percentage will the railway rates be cheaper than bazar rates?

(g) Will the representatives of Unions be associated with the supply of necessities of life by the Railway Authorities? If not, why not?

(h) When are the supply arrangements expected to be in full swing? Do Government propose to expedite these arrangements?

The Honourable Sir Edward Benthall: (a) At present the shops supply some or all of the principal food grains; some also sell salt, sugar, spices and other commodities. It is the policy to expand the range of commodities dealt with in these shops where there is a local demand for such expansion. Arrangements for the sale of cloth are under examination.

(b) Some Railways are running mobile units; others are not at present supplying grain except at principal centres. More staff are being brought within the range of these shops, the number at present being in the neighbourhood of 500,000. The distribution is generally undertaken departmentally. Where mobile vans are in operation arrangements are being made for supplies to gang huts.

(c) The Railway Board have done all in their power to ensure priority for such supplies, but as will be recognised, the general food situation in the country has only lately shown signs of improvement.

(d) The quantity of each commodity supplied will depend mainly upon availability of supplies, the habits and requirements of the employees in the various localities and the rationing policy of the Provincial Governments. It is unlikely that there will be a demand for uniformity in all places. Ration cards are employed by most Railways.

(e) It is not intended to fix prices for any specified period. The rates at which the commodities will be sold will not be uniform throughout India.

(f) I am unable to say, because bazar prices vary widely.

(g) I understand that on Railways where local committees have been established in connection with grain shops, workers are represented on these committees. Whether Unions as such should be associated with the conduct of these shops, is a matter for the General Manager to decide.

(h) The Food Purchasing Organization set up by Government is already functioning and the policy of the Railway Board is as described in my answer to (a). The answer to the second part of the question is in the affirmative.

Mr. Muhammad Nauman: With reference to the answer to part (e) of the question, will the prices be on the same basis as the controlled rates of the Government or will the Railways fix their own prices comparable to the black market and not the controlled rates?

The Honourable Sir Edward Benthall: They will fix their own prices.

Mr. Muhammad Nauman: They will compare the black market and controlled rates and will not take cognizance of the controlled rates?

The Honourable Sir Edward Benthall: They will take cognizance of the controlled rates.

Mr. Lalchand Navalrai: May I ask how the foodstuff is carried to scattered stations and scattered huts in different parts of the Railways?

The Honourable Sir Edward Benthall: That, Sir, will be a matter for organisation by the different Railway Administrations, but it will be done through mobile vans.

Mr. Lalchand Navalrai: Did the Divisional Superintendents or the General Managers consult the local Railway Advisory Committees on these points?

The Honourable Sir Edward Benthall: I am unable to answer that question but I will find out.

Mr. Lalchand Navalrai: Will the Honourable Member, therefore, issue instructions to these officers to consult these Advisory Committees because it will be an easier and better arrangement? Will the Honourable Member write to these officers that these Advisory Committees should be consulted?

The Honourable Sir Edward Benthall: I will forward the suggestion to the Railway Administrations.

FILLING UP OF VACANCY OF PROGRESS AND PLANNING SUPERINTENDENT,
MECHANICAL DEPARTMENT, EAST INDIAN RAILWAY, ALAMBAGH.

†251. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable the Railway Member please state if it is a fact that no basic principle is adopted

†Answer to this question laid on the table, the questioner being absent.

regarding promotions to the selection grades, in the Mechanical Department, East Indian Railway?

(b) Is it a fact that a vacancy in the grade of Progress and Planning Superintendent occurred in the Mechanical Department, East Indian Railway, Charbagh, in 1941?

(c) Is it a fact that a senior Assistant Foreman of the Production Section of the East Indian Railway Workshop, Jamalpore, was promoted to the post referred to in (b) above, where he officiated for over a year and was subsequently transferred to the East Indian Railway Workshop, Alambagh, in the same capacity and after a few months he was reverted to his substantive post?

(d) Have Government acted in accordance with the procedure laid down by the General Manager, East Indian Railway, for filling the selection post of Progress and Planning Superintendent in the Mechanical Department, East Indian Railway, Alambagh?

(e) Is it a fact that a junior Chageman in the grade of Rs. 110/150—20—250 has been allowed to officiate in the post of Progress and Planning Superintendent for over 6 months in the Mechanical Department, East Indian Railway, Alambagh, superseding the claims of the seniors of his grade and higher grade? If so, are they prepared to take immediate steps in the matter? If not, why not?

(f) Is it a fact that arrangements have been made to promote an Anglo-Indian to officiate in the post of Progress and Planning Superintendent, in the Mechanical Department, East Indian Railway, Alambagh, whose name does not appear in the combined Seniority List of the Production group as compiled under the Chief Mechanical Engineer's Minute Sheet No. ME 86/37, dated the 1st November, 1937? If so, are they prepared to take necessary steps to stop such practice and issue necessary orders to the General Manager, East Indian Railway, to promote seniors from the same group? If not, why not?

The Honourable Sir Edward Benthall: (a) I have no reason to believe that the facts are as stated by the Honourable Member.

(b) to (f). I have called for information and reply will be laid on the table of the House in due course.

UNSTARRED QUESTION AND ANSWER

INCREASED RATES TO RAILWAY LABOUR CONTRACTORS.

45. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether any increase has been allowed over the tendered and accepted rates to railway labour contractors in goods sheds, locomotive sheds etc., to compensate them for the increased cost of living? If so, what the percentage of such increase is?

(b) How does the increase allowed to railway contractors compare with the dearness allowance paid to railway workers?

(c) If the railwaymen are paid lesser compensation for the rise in the cost of living as compared with the compensation allowed to the railway contractors, is it proposed to give further relief to railway workers? If not, why not?

The Honourable Sir Edward Benthall: If the Honourable Member will specify the Railway about which he desires to have the information, endeavours will be made to secure it.

THE GENERAL BUDGET—GENERAL DISCUSSION.

FIRST STAGE.

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed with the general discussion of the General Budget. With reference to the time-limit which is ordinarily fixed, I fix 20 minutes for the speeches of the Honourable Members generally, 30 minutes for the Party Leaders or those who speak on behalf of the Party and for the Government Member one hour or more.

I may now just as well draw the attention of the House to Rule 46 regarding the general discussion of the Budget because I find that in some cases the

scope of this discussion is not properly understood. Rule 46 lays down that "the Assembly shall be at liberty to discuss the Budget as a whole or any question of principle involved therein".

Sir Henry Richardson (Nominated Non-Official): Sir, at the outset, I would like on behalf of my Group, to express to the Honourable the Finance Member our appreciation of the very fine speech which he made last Saturday evening when presenting the Budget and to congratulate him on his effort. Whatever views we may hold on the various proposals, no one can complain of any lack of detail in the picture which was shown to us. We much appreciate the very clear and able summing up which we have come to expect from him. Not only did he touch on practically all those subjects which we hoped to hear about but he also gave us valuable opinions on several important aspects of India's future financial situation.

Before I turn to other subjects, I feel I must take this opportunity of joining the sincere sympathy of this Group to that expressed by the Honourable the Finance Member in his Budget speech regarding the sudden death of Sir James Taylor. Not only will his loss be felt by the Government of India, but also by each one of us who had the honour and privilege of his personal friendship; we mourn the passing of so valuable a public servant and friend.

Sir, in considering this Budget, we in this Group have once again asked ourselves the question "Does it help the War"? Is it a measure of which India will be proud when the time comes for history to pronounce judgment on the efforts of all those nations which are today striving for a common object? I must confess we cannot find complete satisfaction in the answers to these questions. For whilst it may be claimed that this Budget does meet India's war requirements, it cannot be said to be in any sense comparable to war-time budgets which have had to be shouldered by the people of other belligerent countries. It may be urged that this is as much as India can afford, but I should hesitate to agree with such an opinion. I do not deny that conditions differ in this country from those which obtain in other countries to which I have referred, and this may be advanced as an argument against a more ruthless type of war budget, but on the other hand even if this is granted I would direct Honourable Members' attention to the enormous profits to some in which war production has resulted. If this point is examined, I venture to assert that there is ample justification for a larger measure of sacrifice by all those to whom the war has brought almost unparalleled benefits.

Bearing in mind these qualifying remarks therefore, this Group, Sir, gives its full support to the budget proposals in which we are glad to note that for the first time after a long while the volume of the yield from the indirect taxation proposals is now more than that expected from the proposals for direct taxation even though the incidence of the latter is still by far the heavier. We therefore consider it satisfactory that out of a total estimated new yield of Rs. 20.10 crores, the proposals for indirect taxation are expected to produce as much as Rs. 13.10 crores. Not only was a tax on tobacco overdue in the circumstances but the high yield, which is evidently only a start, makes it particularly suitable for assisting in making up the large war time expenditure.

Before passing on, Sir, I wish to make a brief reference to the Honourable the Finance Member's remarks concerning dearness allowance. He admitted that Government fully realised the defects and dangers which were inherent in the increased purchasing power created by enhanced dearness allowance and that these facts afforded an added incentive to the efforts of Government in dealing with the major question of food supply. Sir, we have had a long debate on food supply and the House was kind enough to give support to the strong views I then felt compelled to voice. But now, Sir, the budget brings up another important aspect of this problem and it is one which greatly concerns the Finance Member's Department. As a business man, I know what the cost of these dearness allowances must mean especially when we add the cost of providing foodstuffs to labour below the purchase price. Also owing to the inefficient Provincial control such supplies have, more often than not, to be

[Sir Henry Richardson.]

purchased in a more or less black market. The amounts involved are growing greater and greater and the total of all this expenditure amongst commerce and industry in the country as a whole must by now be enormous. The Finance Member knows very well, that this expenditure is a revenue charge in Company Balance Sheets and consequently in the case of all those companies which are liable to pay Excess Profits Tax the actual result is that Government itself is paying the greater portion of these dearness allowances and cost of foodstuffs and the revenue of the country is suffering to the same extent. This, Sir, is the other side of the picture and we say that it is not only the risk of inflation which should afford Government an added incentive but also the fact that much of the money is coming out of their own pockets. From all points of view, therefore, we hope that this problem of food supply is being tackled with all the firmness and energy which the situation calls for.

I have referred already to the dangers inherent in increased purchasing power and it seems to us that one of the most important problems today is how to reduce the total volume of purchases for civil consumption. In so far as, perhaps 90 per cent. of civilian purchasing power is expended on the necessities of life, the solution of this problem mainly depends on effective price control by the Governments concerned. Up to now such control has not been adequate and we earnestly hope that the Central Government will bring every possible pressure to bear upon Provincial Governments to tighten up control in this matter. Even when this has been done, there still remains a margin of expenditure by the well-to-do on luxuries and the time has come when it is necessary for everyone of us to cut down unnecessary expenditure. I trust that before long we shall see the starting of an austerity campaign which would not only serve this economic purpose but would also have great psychological value in keeping in our minds the realities of war.

There is one other remark which the Finance Member made to which I must refer. He mentioned the reduction in the real burden of agricultural indebtedness effected by the rise in agricultural prices. Whatever may be our feelings over price control, we cannot but wholeheartedly agree with and share in his hope that at long last this burden, which he correctly described as one of the sources to which so many of the major evils besetting the Indian cultivator had been traced, may be induced to disappear. But, Sir, whilst much impending legislation is on the anvil to improve the lot of the industrial worker, whilst much time is spent on Tripartite Conferences between Government, Employers and Labour, what is being done for the permanent benefit of the Indian cultivators who form by far the largest portion of the population of this subcontinent and on whose efforts at this time the success or failure of the "grow more food" campaign so much depends? There is no sickness insurance scheme for them, no holidays with pay, no dearness allowances and more often than not, no medical facilities. We know full well that the application of all these amenities to the masses of cultivators would be impracticable and impossible to achieve for a long time to come. But there are other ways and means whereby Government can and should endeavour to improve the lot of these people who work and live on the land of the country; and it seems to us that within all the various measures for the control, supply and distribution of foodstuffs there lies the opportunity not only to diminish this burden of agricultural indebtedness but to do much else besides. We believe Government has now the chance to sow the seeds of future benefit by forming a comprehensive policy of co-ordination in such matters as crop planning, crop prices, co-operative societies and the many other interconnected agricultural problems. We believe that all this is possible if a start is made now, and if Government will guide and direct Provincial Governments, without whose co-operation success is impossible. This Group have attached so much importance to this matter that it has been made the subject of a cut

motion and I hope that Government, having heard from me this preliminary warning, will be ready with a statement. We realise that we are dealing with a subject which comes within the provincial sphere, but the recommendations of more than one advisory body have lately pointed clearly in the direction of Central co-ordination and control. With this mandate from advisory bodies some statement from Government is not only justified but necessary.

Sir, the House will undoubtedly welcome the news which the Finance Member had to give us on the subject of the financial settlement as between Britain and India. To this extent, I think, Honourable Members must agree that his visit to England last summer has been amply justified, and none of the gloomy forebodings of which we heard at that time have come to pass. Rather should we express to him our grateful thanks for the exceedingly able manner in which he must have handled India's case in his negotiations to have succeeded in obtaining from His Majesty's Government a continuance of the very favourable terms on which military expenditure is apportioned between the two countries.

I now turn to those remarks, in which, I am sure the House was greatly interested, which the Honourable the Finance Member made on the subject of the further utilisation of India's sterling balances. I have used the expression "further utilisation", because some sections of the public are conceivably not aware of the silent financial revolution which has been going on in our midst in the past two or three years. At one point in his speech the Honourable the Finance Member apprised us that some £300 millions of India's external debt had been repatriated since the beginning of the war with little or no disturbance to the money market, and he said that this was a consummation for which the country might well feel gratified. I think, Sir, that this is a sentiment to which no section of the House can take exception. It is a matter for congratulation for it clearly demonstrates the good use to which India's creditor status *vis-a-vis* Britain has been put. But as we see it, Sir, it represents only the first of several beneficent uses to which these sterling assets can be employed. It is a big step, but, as I have said, we regard it as only the first of a series of operations which are now within the financial capacity of the Government of India, and the Finance Member on Saturday gave us an indication of what the next two are to be.

In the first place he proposed an arrangement whereby provision for the future pension and kindred obligations of the Government of India towards its servants can be assured through an investment which, he points out, would offer much more favourable terms than at present attach to investments in sterling Treasury Bills. This is a sound economical measure which will appeal to any business mind. It is an insurance against a future liability which present financial conditions make it possible for us to cover. When the war is over, we must anticipate periods of financial stringency, when revenues may be stretched to the uttermost to meet obligations already incurred. If we can discount these burdens by present action, we make a contribution to the future without in any way damaging the present. The second proposal for the utilisation of sterling balances to which the Budget invites our attention concerns the creation of a Reconstruction Fund. We are now happily at a stage of the war when it is possible to glimpse the peace, and I make bold to say that the problems with which India and the world will be confronted after the war will be no whit less complicated than those which we have had to face and surmount during the last 3½ years. Anything that can be done now to ease the impact of those problems and to make smooth the transition from war to peace should be undertaken expeditiously and in a true spirit of realism. It is for this reason that I and my colleagues of the European Group wholeheartedly support the suggestion to set up a Reconstruction Fund in order that the heavy demands for imported machinery and plant and for replacement and new equipment purposes may be satisfied as soon

[Sir Henry Richardson.]

as circumstances permit. It would be idle to suppose that this part of the Finance Member's proposals will not be strenuously opposed in certain quarters, but I am not going to attempt to traverse all the ground the critics will invite us to survey, and in any case they do not need me to state their case for them. But I would just like to underline the point that the Finance Member himself made, namely, that, if a predetermined programme of requirements is backed with the power to purchase, which the Reconstruction Fund itself would constitute, India will stand a favourable chance of the early fulfilment of her post-war needs. For bear in mind the extent to which Indian industry has been expanded during the war, and also bear in mind that the mere advent of peace does not necessarily mean that there will suddenly be an abundance of the type of equipment Indian Industry will need for replacement or expansion. It is obviously important that early consideration be given to a survey of this matter, so that the principal post-war needs of India may be ascertained. Like myself, I have no doubt that Honourable Members were impressed with the figures the Finance Member gave of expenditure on industrial expansion during the current year, and also that which is contemplated for next year. In all, these amount to Rs. 16 crores, and I would ask the House to bear in mind that this represents only half of the total outlay under this head, the other half being borne by His Majesty's Government. Therefore, altogether outlay on industrial expansion will have been in the neighbourhood of Rs. 32 crores during the two years ending next February. This is a very substantial sum of money and Honourable Members will not fail to note that no less than half of it represents something in the nature of a gift from His Majesty's Government. Nor does it represent anything like the whole of our war-time industrial expansion, a large part of which is due to the initiative of individual businessmen and business concerns. And that is where I want briefly to return to the post-war situation, in which a Reconstruction Fund could play such a valuable and important role. To my mind, it is clear beyond doubt that we must expect many of the restrictions and controls which now govern trade between nations to persist into the peace. It is also certain that quite apart from the controls, the shortages of capital goods and heavy equipment will continue for a good long time after the war, for we cannot expect years of devastation and destruction to be repaired overnight. Other countries, which have been far more seriously affected by the war than India, will have stronger claims than ourselves to the limited supplies that will be available. It is surely then the merest commonsense and prudence that we should begin to organise against the day when it is possible to stake our claim. And what more practical step can be taken to this end than to earmark finance which can readily be made available for the purpose. This is what the Finance Member proposes at this stage to do, and though there are some people who profess that India's sterling balances are something of a liability, I believe that if they examine the Reconstruction Fund on its merits, and with a fair and open mind, they must come to the conclusion that they are in a very real sense assets that are steadily increasing in value as the end of hostilities draws nearer. There are others who take the line that they would prefer their assets in some other form than sterling. I do not propose to deal with an argument on which the Honourable the Finance Member can speak with much greater authority than myself. I will merely say to those who hold this view, that there are many people and many countries in the world today who would count themselves very lucky if they were fortunate to hold their external assets in sterling whose sound virtues hold good in spite of the passing and vicissitudes of time.

Sir, we in this Group support the Budget proposals and if we have any general criticism of them at all, it is that the country might reasonably have been called on to make even greater sacrifices. Come what may, we are determined to do everything in our power. . . .

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural). That we know.

Sir Henry Richardson:to bring about victory at the earliest possible date and whatever sacrifice that determination may involve, we are prepared to make it.

Dr. P. N. Banerjea (Calcutta Suburbs. Non-Muhammadan Urban): Sir, this is the fourth war budget of the Government of India and it tells the tale with which we have already become familiar, namely, vastly increased expenditure and greatly enhanced taxation.

Sir, taking recurring expenditure first, I should like to point out that the expenditure for the current year is nearly double the expenditure which was incurred last year, and if we take the expenditure for the years 1939-40 to 1943-44 that is to say including the expenditure budgetted for the ensuing year, what do we find? We find that the excess provided over the normal expenditure amounts to not less than 450 crores of rupees. Is this not a huge amount of expenditure for a poor people like the people of India? Besides this recurring expenditure, a large amount of non-recurring expenditure has been incurred and is going to be incurred in the coming year. The bulk of this expenditure is no doubt due to the war, but a considerable portion has been incurred also in civil departments of administration. And how has this expenditure been met and proposed to be met? The whole of the non-recurring expenditure has been met and is proposed to be met by means of borrowing and about 150 crores of rupees of recurring expenditure is also proposed to be met out of borrowing. The remainder,—that is to say, 300 crores of rupees—will be found by means of additional taxation.

Now, Sir, let us consider the advisability or otherwise of levying such a huge amount of additional taxation on the shoulders of the poor people of India—300 crores to be raised by additional taxation.

The Honourable Sir Jeremy Raisman (Finance Member): Not additional taxation. I think the Honourable Member is taking other items into account.

Dr. P. N. Banerjea: No. Over and above the normal revenue, that is to say, the excess of 300 crores; and this 300 crores will have to be found by means of additional taxation.

Coming to the incidence of this taxation we all know that the taxation so far levied has taken various forms and shapes—direct taxation, indirect taxation, revenue from railways

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Excuse me, Sir; but will the Honourable the Finance Member point out whether the 300 crores referred to by Dr. Banerjea is correct?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better wait till the reply is given.

Dr. P. N. Banerjea: When he will reply, he will point it out: increased postage rates and various other measures. In the ensuing year, the Honourable the Finance Member expects that there will be a deficit of a little over 60 crores, and he intends to meet this deficit by means of taxation amounting to 20 crores, and borrowing amounting to a little over 40 crores. Now, what are his proposals for fresh taxation? He proposes, in the first place, certain additions to the direct taxes. The enhanced rates of income-tax in its lower ranges will affect the middle class people of the country; and we should remember that this class has already been hit very hard by the phenomenal rise in prices. The enhanced rates in the other ranges will affect very seriously the industry and trade of the country; and similarly the enhanced rates in corporation tax and the excess profits tax will affect the industry and trade of the country.

Coming to the excise duty on tobacco, I find that the Honourable the Finance Member is jubilant over it. He says it has unique eligibility and it commands universal acknowledgment and things like that. I believe my Honourable friend has read the financial statements of his predecessors. If he has read

[Dr. P. N. Banerjee.]

them, he will find in them strong condemnation of this tax. On several occasions the tobacco tax was considered and the subject was thoroughly investigated, but the proposal was abandoned because it was held that although it was not a tax on an absolute necessity, it was a tax on what is known as a conventional necessity. One of the earlier Finance Members said that he would be very loth to tax a commodity which by long habit had become a conventional necessity for the poor people of India. If my Honourable friend will read the speeches of Samuel Laing, the second Finance Member of India, and of Sir Charles Trevelyan and several other Finance Members, he will find strong condemnation of this tax. I do admit that the Taxation Inquiry Committee has blessed this tax. But that committee did not investigate all the aspects of the question. It should be remembered that the poor artisan, the poor cultivator and the poor industrial worker requires some sort of drug which will soothe their nerves after their hard work and which will act as a stimulus to further work. I may tell my Honourable friends here that I am not a smoker myself, and for intelligent people engaged in intellectual work, tobacco is a poison.—tobacco is a poison of the worst sort. But for hard-working people it is something like a medicine. Therefore, I object to this item of taxation in the Finance Member's budget.

Next comes the excise duty on vegetable ghee. This is a tax on food. Vegetable ghee is used by the poorer sections of the middle class and the poorest classes of the population who cannot afford to obtain pure ghee, which has now become practically unobtainable except at very high prices. To tax food is wrong and therefore I object to this item of taxation.

Then come the increases in postal and telegraph rates. I find a curious change in the attitude of Government. At one time the Government used to say that the Posts and Telegraphs Department is a commercial department. When it was working at a loss, the postal, telegraph and telephone rates were increased because it was said that a commercial department must make the two ends meet. Now that it is a paying department and it is yielding large revenues to the Government, they want further revenues and they have given up the idea of the commercial department. As it is yielding a large sum of profit to the Government, a part at least of these profits should go back to the people of India in the shape of reduced rates; in no case should the rates be enhanced.

The total yield of the taxes proposed by the Honourable the Finance Member is 20 crores of rupees. Could not these 20 crores be obtained by any other means? Time and again, have I suggested in this House the adoption of measures of economy. I have appealed, but I have always appealed in vain,—my appeal has always fallen on deaf ears. Wherever we go we find that there is wasteful expenditure. This wasteful expenditure must be kept down, but that has not yet been done. That is not the policy of the Government. Then also there is another policy that I have urged and many friends of mine have urged in this House that is Indianisation. But what have Government done? Since the commencement of the war, instead of Indianisation there has been a steady and progressive Europeanisation. Necessarily, the consequence has been that there has been a great increase in administrative cost. In every department we find that Europeans have been placed in key posts and Indians have always been placed at the end. If these two steps had been taken, a large portion of the deficit might have been met. But there is a third step which the Government ought to have taken and which would have solved the problem in full, namely, an equitable financial settlement between Britain and India regarding war expenditure. The Honourable the Finance Member told us the other day that the settlement which was arrived at in November 1939 has not been varied. But he also told us that considerable expansion has taken place in various directions and in interpreting the details of the settlement new factors have come into prominence. He spoke of joint war measures

and so forth and we do not know what these phrases meant. We do not know to what extent expenditure was placed on the shoulders of India which ought to have been placed on the shoulders of the British Government. If we come to figures we find that 20 crores is nothing to the British exchequer, but it is a great deal to the Indian exchequer. This ought to have been known to the British Government and to the Honourable the Finance Member of the Government of India who carried on the negotiations on behalf of the Government of India. Of course, the Legislature had no hand in this settlement, and if the Legislature had a hand in the settlement things would have been very different. There is one point of view in regard to this settlement with regard to war effort which I should like to place before the House, and that is that India has been considered as a base for the war effort of the United Nations, as a base for all the war efforts in the East. That being so, the bulk of the expenditure, whether it is incurred in India or outside, should fall on the shoulders of Britain and her allies and not on India. India is merely a base and you cannot interpret the settlement in such a way as to say whatever is spent in India is to be borne by India. That would be a wrong interpretation of the financial settlement.

Before I conclude, I should like to say a word about sterling balances. My Honourable friend, the Leader of the European Group, waxed eloquent over what has been done or said by the Honourable the Finance Member on this question. What has been done I will not question now, but I will say a few words about what the Honourable the Finance Member has said. The Honourable the Finance Member has two proposals in view. In the first place, he wants to provide for future payments of sterling pensions, family pensions and provident funds. I do not know what his real object is. But it seems that he wishes to safeguard these pensions in order that a future Indian Government, perhaps a free and responsible Government, may not be able to do away with these things. Well, it is not the intention of anybody, of at least anybody sitting on this side of the House to do away with all obligations which have been properly undertaken. But we should like to examine very carefully whether it is desirable to spend this amount properly now or to set it aside as an investment for the future. The next proposal is the formation of a reconstruction fund. Reconstruction fund sounds very nice, but who will be in charge of this reconstruction?

Pandit Lakshmi Kanta Maitra: They, the Government.

Dr. P. N. Banerjea: Will the future responsible Government of India be in charge of reconstruction, or will the present Government of India and the British Government be in charge of it? Then again, who will control this fund? Will this be under the control of the British Government, or will it be under the control of the future responsible Government of India?

Pandit Lakshmi Kanta Maitra: The European Group.

Dr. P. N. Banerjea: If these reconstruction schemes are to be prepared by the present Government with the help of my Honourable friend, the Leader of the European Group and his colleagues and also their countrymen in England, you cannot expect that the people will feel enthusiasm for the proposition. I have no objection to what the Honourable the Finance Member says about rehabilitation and equipment of industries. Yes, we want re-equipment of the industries of the country but what type of industries will have to be rehabilitated and with what type of re-equipment? Where shall we buy the machines and in what way? Shall we be allowed to purchase them at the cheapest rate wherever they are available or shall we be compelled to buy the machinery in England where the money will lie? These are questions which will have to be very carefully considered when the reconstruction fund is utilised.

Sir, my Honourable friend the Finance Member in concluding his speech observed that his proposals will meet "with extreme satisfaction"; of course, there will be extreme satisfaction in some quarters but not extreme satisfaction among the people of India. My Honourable friend has worked here for

[Dr. P. N. Banerjee.]

25 or 30 years and he must have worked hard; otherwise he would not have risen to the position he now occupies. But he has worked mainly in his room in the Secretariat and he has had no time to go out and see the facts of Indian life. He has not seen the half-naked and half-starved population of the country. He has not seen to what an appalling extent poverty exists in India. Nor has he had time to study the psychology of the people of the country. If he had had the time and the opportunity for that purpose, he would not have used the phrase "extreme satisfaction" because he ought to have known that the huge expenditure now incurred is not in the hands of the people. Taxation is not in the hands of their representatives in the Legislature. These are in the hands of persons who have very little to do with the people of the country. In such circumstances to say that these proposals will meet with extreme satisfaction is to overlook the facts. I hope and trust that before he leaves the shores of this country he will find opportunity and time to study these questions at greater length and he will be able to say that the time has now come when both the expenditure and the taxation will have to be vested in the representatives of the people of the country, because it is they who know what is best for India.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, although we may not agree. . .

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member speaking on behalf of his Party or on his own behalf?

Dr. Sir Zia Uddin Ahmad: I am speaking on my own behalf. Although we may not agree with all the arguments of the Finance Member, we should admit in fairness to him that he has given an accurate picture of our finances and that he put up a heroic fight both in India and outside India in support of our finances.

I shall first examine the arguments advanced by some economists that the rise in prices is due to inflation. It is a fact that the price index has gone up during the war from 100 to 254, or the prices have gone up $2\frac{1}{2}$ times or, in other words, the purchasing power of the rupee is reduced to $6\frac{1}{4}$ annas. It is also correct that we had inflation in currency. The notes in circulation in 1939 were only 130.29 crores and now they are 560.17 crores and the argument which is advanced is that whenever you have got any article in excess, then the price is lowered, because the demand is less. Because of the inflation the value of the notes is reduced. This price index and the inflation of currency have not the relation of cause and effect, but they have remote correlation. The facts cannot be marshalled to fall in with the economic theories but theories should be formulated to explain the facts. Do not attempt to sidetrack commonsense by using technical terms like inflation and deflation of currency. We will take the facts as they are and discuss this question of inflation. The first point is that there is a tendency to hoard the metallic coins for two reasons. One is economic and the other is political. The economic reason is that the people have greater faith in the silver rupee and they would like to keep in preference to any other form of investment. The second is that there is a tendency amongst some people to paralyse the administration and they hoard the coins in order to paralyse the administration. This fact was realised by the Honourable the Finance Member, so much so that the metallic currency was reduced from 74.31 in 1939 to only 14.16 in December 1942. We should also consider this fact—and the Honourable the Leader of the Nationalist Party also pointed this out—that our expenditure in the General Budget has increased to 259.59 crores, which is more than double. The Finance Member has explained that the Supply Department purchase about Rs. 18 crores worth per month. That is, it comes to 216 crores. Therefore, considering the enormous expansion in the business of India due to the expenditure all round, I would like to know what would be the correct figure of the currency notes which would be necessary to meet this require-

ment. To say simply that the currency has inflated has got no meaning. We must have some mathematical or economic calculation to find out what is the exact amount of currency notes which we require and what is the exact amount of small coins that we require for our daily transactions. We should not forget the fact that the moment there is a shortage of these currency notes or the shortage of small coins, there comes dislocation of business which upsets the daily transactions especially among the poorer people. Unless somebody will give the exact figure that so much currency notes are sufficient for our daily transactions and anything above that is inflation, I am not overawed by the technical words "inflation and deflation".

Pandit Lakshmi Kanta Maitra: They have already controlled 90 per cent. of the paper in the country and they can easily print any number of notes if there is any shortage of money.

Dr. Sir Zia Uddin Ahmad: My friend says that they have got the power to print as many notes as they like. He does not know that if a Finance Member adopts this particular practice, he will cease to be a Finance Member before he adopts it. The printing of notes is regulated by a number of rules and regulations and there is a regular check on their printing. Even if the Finance Member tried to have any number of notes printed, he would not be permitted to do so.

Dr. P. N. Banerjea: Who will check him? Will the Superintendent of the Printing Press check him?

Dr. Sir Zia Uddin Ahmad: My friend probably knows that these currency notes are issued by the Reserve Bank of India and not by the Finance Member and in that Bank we had a famous expert, Sir James Taylor, who is unfortunately no more with us. The Governor along with the other Directors of the Reserve Bank determine the quantity of currency notes.

As regards the rise in prices, it is really due to the mistakes of the Government of India. I do not want to enlarge this point as we have discussed it on previous occasions and we will have more opportunity to discuss it later on, but there is one point to which I would like to draw the attention of the House, a point to which attention was not explicitly drawn. We find from this Explanatory Memorandum that the price index as compared with August 1939 has increased from 100 to 415 with regard to piecegoods. That is to say, the price of cotton piecegoods has risen more than four times, while the price of cotton has increased from 100 to 193.8 only. So, the price of cotton has increased by less than 100 per cent but the price of piecegoods has increased by more than 300 per cent. This clearly shows that there is enormous profiteering going on in the textile industry and I am sorry to say that the Commerce Member or the Supply Member of the Government of India never took this point into their consideration.

Dr. P. N. Banerjea: They are all gone.

Dr. Sir Zia Uddin Ahmad: Never mind: I am not concerned with the personnel: I am concerned with the department. Nobody has considered this enormous rise in the price of the piecegoods and this is a matter which ought to be gone into. Now, the question of wages has been gone into very carefully and they have not been increased by 50 to 75 per cent., nor have the prices of other articles been substantially increased. In spite of all that, the price of the manufactured piecegoods and manufactured cloth has been increased to more than four times. There is no justification to allow these prices. The real facts are that there are two industries in this country which no Finance Member or Commerce Member can dare touch—one is the industry of piecegoods and the other is the industry of sugar. The predecessor of the Commerce Member said in my presence to a person who came out from England to inquire into the piecegoods industry of Bombay, "Though you are going there to inquire, remember the Rolls Royce cars, the various entertainments and other things and be careful not to be dazzled by all these glittering things." I have not seen a single Commerce Member during the last 14

[Dr. Sir Zia Uddin Ahmad.]

years that I have been in this Assembly who had the courage to deal with this particular problem of the textile and sugar industries because of the enormous sums that they can afford to spend on their propaganda.

Then, Sir, I come to the question of the accumulation of sterling credit. In this connection, I would like to draw the attention of the House to three points which have arisen on account of the accumulation of our credit. The first thing that I wish to say is that because of our credit this is the time when we ought to consider very seriously whether the time has not come when we should enter into a direct agreement with America and not through the United Kingdom about lease-lend and reciprocal lease-lend arrangements. I understand—I am speaking subject to correction—that all our lease-lend arrangements are done through the British Government and not directly by the Indian Government. I think the time has come when we should have direct arrangements with the United States of America on this point. Here I may also mention that while discussing lease-lend arrangements, we should not only consider the requirements of the war but we should also consider the requirements of the industries and various institutions. That is, we should try to get from them the costly apparatus which it is impossible to purchase except by means of lease-lend arrangements.

The second question which arises and which will have to be taken up sooner or later is this. We have linked up the currencies of the various countries forming part of the British Empire with sterling. We have great apprehensions that when the war is over, there will be abnormal changes in the values of the currencies of different countries which now form part of the United Nations. In order to have stability of these currencies, it seems very desirable that at this particular moment the currencies of all those countries which form part of the United Nations should be linked up together by certain formula, and this is just the time when this question should be taken up. So, I request the Finance Member as representing India to take the lead in this matter. We should not only link our rupee with the sterling but also link it with the dollar. We will find that after the war the dollar will lead the currency of the United Nations and, to my mind, it will lead the currency of the entire world. This is the proper time for us to make an attempt in this direction. The third point that arises in this connection is about the disposal of our accumulated balances. Now, a suggestion was made by the Honourable the Finance Member on page 20 of his speech to buy like life annuities the pensions and other liabilities which India has to pay. This particular proposal presupposes that England is going to quit India and will hand over the Government of India to a particular class which cannot be trusted. I think this proposal is not sound. It is not necessary to safeguard the future liabilities which India should pay. I assure the Honourable the Finance Member that this is not in our minds. Therefore, for the time being the proposal is not financially sound. These balances have been accumulated on account of enormous sufferings and privations that we have undergone. Look at myself, I could not afford to buy my normal requirements. It is not fair to ask us to pay the liabilities of the future generations. I can quite agree when we pay for the liabilities which may benefit us and the future generations as well. I do not really understand, why should I be asked to suffer and give up everything which I have in order to meet the future liabilities of our future generations. We cannot buy entire liabilities. Pensions will always increase because persons would retire. Therefore, we do not know how much it would be. Looking at it from a statistical point of view it would be a difficult problem. I, therefore, beseech the Honourable the Finance Member to give up this idea of utilising balances for the purchase of future liabilities with regard to pensions, provident funds and bonuses. As regards pension immediately the question will arise: you are purchasing pensions payable in England, why not purchase also pensions of Indians as well. What

is the guarantee that the future Government will be entrusted with this? According to the theory that is underlying this proposal, which is not based on facts, what guarantee is given to pensioners living in India? Why don't you provide annuities for their pensions as well? Provide also for the pensions of Indians. Therefore, I think this proposal will be exceedingly unpopular and I think it should not be entertained.

The next question is about the future expansion. There I think we should keep this money in floating account, so that we may fall back upon it and in any way we like we may invest it. It should be kept in a floating reserve and should be available to us. Therefore, I would rather like to keep our balances in a floating account which may be easily available to us for investment in annuities or any other form of payment of liabilities.

The next thing I would like to mention is the dearness allowance. On page 36 of the Memorandum it is stated:

"It may, however, be pointed out that the cost of living index numbers for different centres are not strictly comparable and that definite formulae have been devised in all these centres for adjusting dearness allowances with the changes in the cost of living." I should like to have these formulae before us. I request the Honourable the Finance Member to ask the Department of Economic Advisers to the Government of India to supply the Members a copy of the statistics prepared by them—it is an expensive department—and they give us the figures and leave us to draw our own inferences.

The next thing about the dearness allowance which I should like to mention is this: the Government have taken the responsibility to pay dearness allowance to all servants employed by them. I request that at this moment they should also consider the fact that on account of payment of dearness allowance to their employees, the educational institutions, which are partially maintained by the Government of India in that they are supported by them by way of grants—are very much handicapped on account of this extra responsibility they incur in paying dearness allowance to the servants. I particularly mention those educational institutions which are really supported by the Government of India, the employees of these institutions deserve dearness allowance just as much as the servants who are appointed and paid by the Government of India.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Dr. Sir Zia Uddin Ahmad: Let my speech be taken as read. I lay the rest of it on the table of the House.

Mr. President (The Honourable Sir Abdur Rahim): I cannot allow that.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Everybody admired the very exhaustive effort which the Honourable the Finance Member made on the 27th February last when he took at least two hours and ten minutes and was visibly exhausted. Let me submit at the outset that so far as the conduct of the war is concerned, I have not the least difference with him. In fact, a vigorous and energetic prosecution of the war for the security of this country and for a willing participation in the restoration of international equity and goodwill, he can depend upon my humble support without any stint. The question of difference arises when he pursues the methods of taxation which are embodied in his budget. On that issue I fundamentally differ from him. First of all I say that this is a rich man's budget. I am sorry to say that the Honourable the Finance Member has some natural antipathy towards the poor.

The Honourable Sir Jeremy Raisman: No.

Mr. Jamnadas M. Mehta: He considers the poor as the real target and quarry. In fact, he goes for the poor as a terrier goes for the mouse and ample evidence of this is to be found in his budget. If he can at the poor he will readily snatch the opportunity. Just think of his new taxation proposals. So far as the taxation on those who smoke cigar and cigarettes is concerned I

[Mr. Jamnadas M. Mehta.]

am at one with him. I do not agree with my erstwhile leader Dr. Banerjee that people who smoke do not get any pleasure out of it. I do get the greatest pleasure out of a cigar and I am willing to pay for that luxury. But when the Honourable the Finance Member goes and taxes the poor man on the sole authority of the Taxation Enquiry Committee and disregards the actual facts of the situation, let me warn him that he is actually trenching on resources of the poor in an amenity which brings some solace, some little cheer and some little comfort. Let him tax any big cigarwalla or any big cigarettewalla and leave alone the poor man's *bidi*. I know the poor man after a day's labour gets a great pleasure and comfort out of his *bidi*. He has not got the means to enjoy luxuries. Ghee and sugar and all these are denied to him. I think the Honourable Member should not have shown a green eye with the little comfort of the poor man. This part of the tobacco tax is therefore objectionable. I want to tell the Finance Member that the tobacco is not immune from taxation even today. In the city of Bombay, the Government of Bombay has since 1932 increased the taxation on tobacco to 400 per cent.—where it was one rupee it is four rupees. Therefore to create the impression that since . . .

Sir Gowsajee Jehangir (Bombay City: Non-Muhammadan Urban): Does that include *bidis*?

Mr. Jamnadas M. Mehta: Yes. Therefore I say it is bad enough already.

What I am saying is, let him not be under the impression that because the Taxation Enquiry Committee reported in 1925 and action has not been taken so far by the Government of India, therefore action is not taken by the Provincial Governments or even the Local Authorities. He is greatly mistaken. And let me see what he is doing. The salt is taxed; the poor man's matches are taxed; the poor man's tobacco is now being taxed; the poor man's sugar is taxed—everything that the poor man needs in life, he has included in his long sweep of comprehensive taxation: Postage, Salt, Matches, Tobacco, Vanaspathi, Sugar.

Pandit Lakshmi Kanta Maitra: Next year it will be potatoes.

Mr. Jamnadas M. Mehta: The Finance Member has a very watchful eye and when it comes to the turn of the giving dearness allowance, what thousands of difficulties he experiences. In the Budget speech at least in three places you will find—on the first page and later pages—that wherever the question of a little increase of the workmen's wages comes along, the Finance Member simply looks upon any proposal for dearness allowance with a scowl. He has somehow or other persuaded himself that even if 10 per cent. dearness allowance is given where 50 per cent. or 100 per cent. is the rise of the cost of living, some kind of calamity will happen. The Honourable the Finance Member has brought more distress on the poorer people of this country by his constant desire to give them additional taxation and less bread. What is the dearness allowance, Sir, at which the Finance Member looks with increasing disapproval? His idea seems to be that the higher nominal value of the wages means higher purchasing power for the poor. This is a real fallacy and he knows it to be so. What with the dearness allowance policy of the Government on the one hand and their failure to feed the millions of people of this country on the other; the poor are certainly at their wits-end. Compliment is paid by the Railway Member to the railway workers. Compliment is paid to labour generally . . .

Pandit Lakshmi Kanta Maitra: But not seriously.

Mr. Jamnadas M. Mehta: . . . but the earnings of labour are thrown into the war pool without regard to the fact whether labour is starving or otherwise. With a rise in the cost of living of not less than 150 per cent.,—because even the Bombay *Labour Gazette* figures are now silent on the cost of rice and wheat since July last and two Judicial pronouncements have been

made that the Bombay Labour Office figures are below the mark, I take it that not less than 150 per cent. is the rise in the cost of living—what is the rise in the dearness allowance which Government have given? For the Railways, it varies from 10 per cent. or even less than 10 per cent. to perhaps 160 per cent. for the poorest, for the postal and other employees it is even less. You find gushing admiration shown for their good work and loyal conduct; but there the matter ends. Virtue is admired and left to starve. I must protest against this policy; the men who are today working for the war effort, second only to the soldier, are being treated in the most unsympathetic manner, and the starving of their children and their wives is a matter of no concern to Government. Even ordinary gratitude for the workers is not shown in the policy of the Government; on the contrary they have shown absolute disregard to their harrowing conditions today. The number of telegrams which I have received from the working classes about their starving and their families will make the heart of a stone really to bleed; but the Government of India in all the various departments under the lead of the Finance Member have shown a stony heart impervious to the needs, impervious to the justice and I have nothing but absolute condemnation for the policy of starving the poor which is now ruling in the Government of India. Is this the gratitude to the poor who have worked for you during four years under every condition of distress and hardship? The soldier gets ten times more ghee than the worker can get ghee today. The food of the soldier costs to the Government, I think, today Rs. 33. Are they giving to the workers who are as important as the soldiers even Rs. 13 for their food as against Rs. 33 which one soldier costs for his ration, and, if not, why not? That point I want to be elucidated before I can feel satisfied with the Honourable the Finance Member's budget proposals.

Now, Sir, coming to the "joint war measures" which is a new phrase which we find invented in this budget although we are told that the Finance Committee is familiar with it. We are being congratulated that the settlement is not being unsettled; but so far as that settlement is concerned, there is nowhere any phrase in it called "the joint war measures", and yet today the joint war measures are going to cost us many crores outside the settlement of 1939-40. I do not mind paying provided it is based on our capacity as the American President himself has said—I ask the Honourable the Finance Member to remember that in the Lease and Lend Report, the American President has said that the payment by each of the partner should be according to his capacity. Here is the sentence which I would like to read:

"The last Lease and Lend Report of course set forth a principle for distributing the financial burden of the war among the United Nations in accordance with their ability to contribute to the common pool."

This is the Report—called the 6th Report—which the President has made to the Congress, that the contribution of the United Nations to the common pool will be based on their capacity and their ability to contribute. I want my Honourable friend constantly to keep this in mind. Subject to that, I am willing to bear my part of the burden of the war, i.e., subject to my ability to contribute. Has the Honourable the Finance Member taken the House into confidence in this matter? He has been doing everything behind our backs. All these joint measures which were never subjected to our deliberation or scrutiny although we had pressed for information, now they are forced on us without even so much as our permission and we are simply asked to record and register them as a fact. Let me tell him that he will get more out of us by getting our co-operation at the right time if he takes us into confidence than by saying that the Government of India is pleased to do this, that and the other. It may be pleased because it is pleased at its own action. But let us be pleased by the Government of India's action. Then it will be a real pleasure to the people of this country.

[Mr. Jamnadas M. Mehta.]

I have two more points to make regarding this Budget. The Honourable the Finance Member has rather too cavalierly condemned and pooh-poohed the danger of inflation. I beg of him to remember that his critics are not irresponsible people. I do not want to give any names, but I assure him that among his critics are people who have always taken a scientific view of economic problems: who are not swept off their feet by any political motives but who study the question purely in a cold-blooded and cool-headed manner. They have brought to the notice of the public the serious danger of the inflation that exists at present. When prices go up four times, when the pre-war prices of wheat at Rs. 2-10-0 is quoted today at Rs. 10 or 12 it shows that there is something wrong. The production of wheat has not dwindled. The production remains practically at the same level and still the price has gone up four times. Can you explain this phenomenon? I ask him not to be dogmatic.

The same thing I want to tell him about the use of the sterling balance. What happens is that we give the goods but the goods remain there and the money also remains there. Have you ever heard in any country in the world that when people send you their goods you keep their goods and their money as well? If any explanation is given, it should not be in the spirit that the critics are confused or that there is loose thinking. There is no loose thinking. There is furious thinking. There is careful thinking. All that I wish to tell the Honourable the Finance Member is that he should be a little more charitable or a little more responsive to the people who have to foot the bill. He must not consider them as if they were mere outsiders and on whose part it is impertinence to criticise him. People who criticise him are well informed and responsible citizens of this country and they are entitled to get information from him.

My last point refers to our sterling balances. It seems to me that having accumulated these reserves the Honourable Member somehow or other wants slowly to dissipate them in the manner in which he thinks best. Already 30 millions of annuities are paid in advance.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. Jamnadas M. Mehta: All right, Sir, I shall finish. Thirty millions of annuities are paid in advance. Now a sum of 5 million or 6 million pensions is to be paid annually; the whole of it is to be capitalised and paid in advance, and what remains is to be put into a Reconstruction Fund, of which we hear for the first time. The European Benches are there to support it wholeheartedly. I have never heard Sir Henry Richardson so eloquent and so warm and almost vehement. What the Finance Member has suggested is immediately accepted by him without examination, and that crores and crores of rupees belonging to this country should be immediately put into some Reconstruction Fund. God alone knows what it is! We know the activities of the last post-war period. The Government of Bombay and several other local authorities then indulged in developmental activities, the results of which we are bearing today in paying 27 lakhs of rupees as interest charges. All those things turned out to be failures. Therefore, we are in no hurry to have this Reconstruction Fund. We are in no hurry to dissipate any of the millions that we have accumulated. I beg the Honourable Member to put all his proposals before this House or before a small committee of the House and take its opinion. Otherwise it will be a repetition of 1920 when our gold resources were dissipated. Our sterling resources are now in danger of being dissipated. I conclude by saying that the Budget is a rich man's budget. The poor man has suffered and is suffering more. In England no man gets more than £8,000 a year. Here in Bombay alone, I am sure, there must be ten thousand people who will be earning a lakh of rupees a year.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Jamnadas M. Mehta: Without taxing the poor, let him tax the rich as in United Kingdom and his deficit will not be worth listening to. There will be no deficit.

Rai Bahadur Seth Bhagchand Soni (Ajmer-Merwara: General): I congratulate the Honourable the Finance Member for the Budget presented by him, which, considering that more than 3½ years of war have passed, is very sound indeed. It is also gratifying that the allied armies are now in a very strong position, the initiative being in their hands, and as the Honourable Member emphasizes, final victory is in sight. This should not, however, make us slacken our war efforts and all our energies should be concentrated in the furtherance of achieving decisive victory. Government have learnt their lesson from the last war and this is clearly visible in the present Budget.

The fact that our country has repaid all its foreign debts amounting to about Rs. 450 crores is a historical event. We are proud not to be a debtor nation any more and to have entered the list of creditor countries.

Coming to the question of the cost of war, I am afraid, I cannot share the opinion expressed by the Honourable the Finance Member in his Budget speech. Sir Jeremy said: "Security in these disturbed time is only to be purchased at a very heavy price and the House will no doubt be prepared for a bill of unusual magnitude". Sir, I am sure that the Honourable the Finance Member is rather pessimistic and I shall be able to prove beyond doubt that India has purchased its security in this war at a very low price.

Now, just consider that the provision for the Defence Services for the year 1943-44 has been placed at Rs. 183 crores or about £137 millions for one year. Now, everybody knows that the United Kingdom is spending about £14 millions per day in the conduct of the war. If we compare £14 millions spent daily by the United Kingdom with £137 millions to be spent by us in one year, it becomes apparent that India, in spite of its vastness, is spending in a year on the war what Britain is spending in less than ten days. I hope I have been able to make out, Sir, that the Honourable the Finance Member made an exaggerated statement and that we are extremely lucky to have purchased our security at such a low price.

A year ago the Japanese menace was finding its way nearer and nearer to India and our defences were certainly not strong enough to withstand a major attack. Later on, the then advancing German armies were threatening the Caucasus, almost the gateway to India. Today the Germans are retreating and on the eastern side our country is well armed against any onslaught as we heard in the Budget speech. All this was achieved by spending less than a fortnight's

1 P.M. expenditure by the United Kingdom on the war. It appears that perhaps it is not a bad proposition for India to be within the orbit of the British Empire.

Coming to the important point of the position of currency and prices, I must point out that Government's monetary policy has been much criticised recently. Mainly, two lines of reasoning have been put forward.

In the course of this war Government has accepted sterling from the Allied nations in payment for purchases from India and private exporters have also sold their goods against sterling. Consequently very large amounts of sterling have accumulated in the Reserve Bank. Part of this sterling has been utilised in the repayment of our sterling indebtedness. On this point there is unanimous agreement that the repatriation of our foreign debts is a permanent advantage to India. Against the balance of sterling worth about 375 crores, rupee notes were issued by the Reserve Bank to pay for the purchase of the goods exported and also for the expenditure incurred for war purposes in India. According to one school of thought this expansion of the rupee note issue has caused inflation.

[Rai Bahadur Seth Bhagchand Soni.]

and this inflation is the cause of the rise in prices. They emphatically propose, therefore, deflationary measures to be taken.

The other school of thought maintains that there is no inflation and the new currency issued since 1939, *i.e.*, about 400 crores are necessarily absorbed by demands of internal finance of a war time economic structure. The advocates of these arguments come to the conclusion that India in a war needs an expansion of currency for the smooth running of its business machinery, and explains the high price level by the scarcity of certain commodities. The conclusion drawn is a demand for more production.

It is, Sir, somewhat difficult to come to a balanced conclusion amongst these conflicting theories. I am neither an economist nor a statistician, but being accustomed to deal with large scale industrial and business matters it appears to me that there is a more practical approach possible. In fact, there are two reasons why prices are rising.

First of all, there are matter of fact reasons for the rise. Large purchases by Allied nations, large exports on private accounts, scarcity of imports and more money in the pockets of the people by a necessary and unavoidable expansion of currency. The Honourable the Finance Member has pointed out these factors in the first part of his Budget speech.

On the other hand, the excessive rise in prices is mainly due to hoarding and speculation. There is no doubt in my mind that, as in every war, to a certain extent the present rise in prices is unavoidable, but I am sure that the sudden and abnormal recent increases are caused by an unreasonable propaganda about inflation. In this connection, I am astonished to read the presidential address of Sir Tracy Gavin Jones at the annual general meeting of the Northern India Chamber of Commerce. Sir Tracy is speaking about a currency inflation which is, according to him, developing alarmingly. Now, Sir, anybody who studies our budgetary and monetary position carefully is bound to feel that there is no reason for such an alarm. It seems also that Sir Tracy forgets that a very great deal of silver rupees have been hoarded which formed in previous years a large part of currency in India, where the bank note and cheque habit is still in its infancy. The velocity of cash and notes is also bound to be slower under the peculiar Indian war circumstances, and specially in remote places. Notes and small coins have been hoarded too in considerable quantities. Large amounts, possibly up to 100 crores, are also being held liquid and idle now by taxpayers for payment of income and excess profit taxes, as well as excise duties.

All these facts prove conclusively that the monetary situation is sound at present. As regards the immediate future, however, I also believe that with all foreign debts repaid, if further sterling accumulates, as it will certainly happen, some safeguards against inflation will become imperative. The United States of America, for instance, could surely send a fraction of its immense gold and silver reserves against their purchases made in India. Some action might also be taken against excessive hoarding and speculation. A somewhat lower price level would induce hoarders to release some of the accumulated goods. The food situation would improve thereby, the cost of war would decrease and so the lot of the masses would be bettered.

I turn now to the measures dealing with the gap caused by the forecasted budgetary deficit of about 60 crores which I may say is not much in the fourth and fifth years of the war. The introduction of an excise duty on tobacco is a right step. Smoking is certainly a luxury, and it is just to tax a commodity which is not an essential necessity and which is, in fact, heavily taxed in most countries. In fact it was long overdue. The balance of the deficit is proposed to be covered by borrowing, and it is indeed very satisfactory for two reasons.

Firstly, it is just to spread the burden over a larger period, and secondly borrowing is a deflationary measure.

The very sound budgetary position, the present level of Government securities, and the victories of the Allied nations are bound to encourage investments by the public in Defence Loans and thus help the Government in maintaining good ways and means position. Fresh investments must come from savings and they can only come if unnecessary expenditure by the public is deferred. As more money is put in Defence Loans, the victory comes nearer.

Concluding, Sir, I maintain that victory is the primary consideration. It is unnecessary to explain what defeat would mean to our country. No war can be fought without some disadvantages. India has suffered less than many other countries and gained great economic advantages already. It would be fatal if alarmist views find currency. I hope better counsel will prevail.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan). Mr. President, Sir, as I rise to discuss the general finances, I frankly confess to a feeling of frustration and even futility. In matters that matter most decisions have already been taken and for all our pains the chances of influencing these decisions are practically negligible. However, I will try my best to give the point of view which is being shared by the majority of people in this country.

From the purely financial point of view, four or five issues dominate all the rest, and yet the irony of fate of the nationals of this country is that it is practically on those issues that we can influence the Government the least.

Take for instance the financial settlement between His Majesty's Government and the Government of India. Is it open to us to make any useful suggestions? We are presented with a *fait accompli* and all we can do is to spend our fire and heat on a dead issue. In any country but India, a settlement of such dimensions involving hundreds of millions of sterling or, in other words, hundreds of crores of rupees could not have been negotiated and settled behind the back of any legislature. The Honourable the Finance Member made a trip to England and came back with a document saddling the present generation and posterity with a burden well nigh beyond the strength of our poor backs to bear. I do not want to enter into a discussion as to the *per capita* wealth of India or the financial stability of England, but I think the Honourable the Finance Member himself knows how hard it is for a poor country like India at the present moment to bear that burden with which he has consented to saddle us with. Apart from the original settlement a revision was secured under most unsavoury circumstances. Looking to the apportioning of the Indian share, I doubt whether the principle that we can pay only for our own soldiers, required for our own defences, was kept in mind. This House has been denouncing the maintenance of the British and white soldiers in India and my Leader, Mr. Jinnah, made a very strong protest on many occasions on this issue. I would like to refer to one of his speeches delivered in 1924 on the occasion of the General Discussion of the Budget in this House. He quoted from Mr. Bonar Law the then Prime Minister of England who also agreed *prima facie* that the maintenance of the white soldiers in India was more for Imperial purposes than Indian and, therefore, India could not be saddled with expenses on this account. This is what Mr. Jinnah said:

"Proposition No. 3 is one which I will read to this House and is in the words of a great authority who now happens to be the Prime Minister of England at the present moment. And this is what he says:

'A large part of the Army in India, certainly one half, is an Imperial Army, which we require for other than purely Indian purposes and its cost therefore should be met from Imperial and not Indian funds. A self-governing India would no doubt insist upon bearing some definite share in defence, but like the Dominions it would settle how much it ought to bear. It would adjust the cost to its means and it would decide in what form it was to make its contributions—perhaps an Indian recruited Army. In any event, the plan by which India pays for an Imperial Army stationed there without in any way determining its policy is as bad as it can be. If the existing system of Imperial Defence is to last, the whole cost of the British army stationed in India should be borne by the Imperial exchequer.'"

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not really read that speech *in extenso*. The speech was delivered in the Legislative Assembly and it is in the Debates.

Mr. Muhammad Nauman: It is a quotation.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should advance his own arguments.

Mr. Muhammad Nauman: Thus, Sir, it is clear that even the Prime Minister of England did feel that India could only be saddled up to its capacity and up to its means. I want to know whether the Honourable the Finance Member had this in mind in apportioning our quota or was it only a command from His Majesty's Government. I feel, Sir, that a proposal from His Majesty's Government in England to the Government of India is in reality a command. The Government of India constituted as it is today is hardly an independent agent or even a disinterested agent. Well, the settlement was revised. The Government of India may be relieved that the *Sirkar's firman* was not more exorbitant than it could have been, but when they expect us to share their relief or even jubilation, they are certainly making us realise our own helplessness more intensely than on any other occasion. To us it is an imposition, not so much because it may have been very much different if we had a real voice in this matter, but because we are utterly voiceless and helpless in these matters, to negotiate as a responsible Government with another responsible Government. Any burden put under these circumstances is an imposition pure and simple. Settlement without the consent of the people of the country can never be termed as settlement as the bargaining capacities were made important by making this country voiceless.

Now, Sir, I come to the other point. Hardly less sordid is the story of the sterling balances. While the Government of the United States of America and other South American republics insisted and secured better terms from the Government of England, while even the subordinate and insignificant Government of the Dominions and Colonies like those of Canada, Australia, South Africa and Kenya secured better terms and refused to trade but on gold or liquidation of investment basis, the supine Government of India accepted even without a prick of conscience payments in sterling and feels satisfied with the discriminating treatment meted out to this country in comparison to Dominions and Colonies so far as payment and method of payment is concerned. As was natural but unforeseen, at any rate in the matter of its volume, the balance multiplied and it was only when this had assumed alarming proportions and public opinion had become insistent that measures began to be taken that should have been taken as a matter of course, which were being taken by other Governments from the very beginning or at least much earlier than the Government of India made any gesture in this matter.

Very important consequences flow from the supine policy followed by the Government of India:

1. An invaluable opportunity was all but lost to deinvest foreign interests in India.
2. A flow of precious metal, gold and silver, so much hankered after by our nationals was deliberately stopped by accepting payment in "sterling" in England.
3. Inflation in currency came into effect, an avalanche of inflation was let loose here.
4. An immense balance in an unstable form has piled up.
5. A fair chance of having a surplus balance in countries other than England to help the post-war reconstruction in India was sacrificed for nothing.

India is being placed in a position where she will lose her bargaining capacity with the other countries, she will probably have no choice but to buy from England to liquidate her sterling balances in England and then she will once

again become the dumping ground for British goods in liquidation of the sterling balances invested in His Majesty's securities. India will have no choice in selecting her markets but she will have to purchase only from England whether it suits her or not. Fortunately there is yet time to mitigate these evils but unfortunately our destiny is not in our own hands. Is the Government of India conscious of the responsibility it has in this matter? I do not know whether the Government of India would be prepared to look into these things with a due sense of responsibility. Unfortunately we babes and imbeciles must suffer from the decision of our so-called guardians and custodians who are unfortunately not even independent Agents at all and who cannot even force their own conscious arguments on issues so vital as these.

Admirable studies have been made in the ways of utilising the sterling balances. I have received pamphlets containing opinions of different commercial bodies which I hope are certainly in the hands of the Honourable the Finance Member as well. Warnings have been issued that sterling is no longer a free currency and nobody can forecast the position of sterling in post-war times probably it may even be beyond the control of the Government of England to actually control the position of sterling. Even under the controlled conditions at present the sterling has already depreciated in value. That it might depreciate further, nobody can forecast. Then there are dangers in piling up our balances in an unstable form. But to all these, the Honourable the Finance Member turns a stiff neck and says "I cannot share the anxiety of those who appear to regard the surplus balances as almost in the nature of useless assets." Thank you, my friend for pointing out that our balances are not useless. Thank you for removing the scales of ignorance from our eyes and making us see that what we hold is a sterling security and not just a waste paper. You are right in not sharing the anxiety of those who regard that very valuable sterling asset as useless. I certainly am alive to the fact that it would be not correct to say that it would be useless asset, but does the Honourable the Finance Member realise or share the anxiety of those who would not put all their eggs into one basket. Does he share the anxiety of those who do not remain unperturbed like him on seeing the bullion or gold reserve of the Reserve Bank sinking to nothing—a reserve of about 44 crores worth of gold to back up the huge currency of this country. You can calculate for yourself what proportion it has got. Do you share the anxiety of those who would rather hoard grains, coins, anything tangible rather than this invisible sterling balance in England to back the currency in this country. You do not share the anxiety of those who regard sterling as useless, but do you not share the anxiety of those who want that our investments should have been in other parts of the world as well by which our buying capacity should have remained in a far better position than what it would be if the investments are only to be in one and only place, that is, England. So far I have dealt with the important financial questions in the Budget.

Now coming to the budgetary proposals, although I do not want to indulge in any sort of congratulations, yet, I do feel that so far as the main policy is concerned, it is quite satisfactory. With a deficit of 60 crores, there was no possibility of doing anything but to apportion the burden between the present generation and posterity, so that posterity will bear 2/3 of it by way of loan and the present generation bear the rest by way of taxation. I certainly appreciate the choice which the Honourable the Finance Member has made. He has made a good selection in the matter of imposing taxes. He has taxed tobacco, and vegetable ghee. I submit these commodities should have been selected even earlier. I have been stressing that tobacco should be taxed probably for the past four years. I did make that suggestion in 1939, 1940 and probably in 1941 also. I am glad that the Honourable the Finance Member has after all come out with taxation on them. Of course, some of my Honourable friends have commented against it. Unfortunately all the proposals of taxation are such as would somehow or other create some resentment in some quarter or other. Although I have

[Mr. Muhammad Nauman.]

spoken very much against some of the principles involved in the financial issues which have been settled against the interest of India, yet I cannot but say that the choice of taxation and taxes is quite satisfactory. With these few remarks I take my seat.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Sir Cowasjee Jehangir (one of the Panel of Chairmen) in the Chair.

Hajee Chowdhury Muhammad Ismail Khan (Burdwan and Presidency Divisions: Muhammadan Rural): Mr. Chairman, I rise to offer a few remarks on the Budget which was presented to this House the other day by the Honourable the Finance Member. This is the fourth war Budget which has been presented to this Honourable House and in spite of its shortcomings which I shall deal with later, I must express my appreciation of the way the Honourable Sir Jeremy Raisman has managed the financial affairs of this great country.

Sir, according to the Honourable the Finance Member, India is confronted with a deficit of Rs. 60.29 crores during the next year, which he proposes to make up partly by fresh taxation and partly by borrowing. Taxation is always an unpopular feature of a budget. This is a very poor country and it has already been burdened with such high taxation that I doubt very much if the people of this country can bear fresh taxation any more. What is really needed is not adding fresh taxes on the already over-burdened people, but a policy of curtailment of expenses as far as it is conveniently possible without detriment to India's war effort.

Sir, the Honourable the Finance Member proposes to levy excise duties on tobacco and vegetable products. He may think that tobacco is a luxury to the poor people of this country, but I must tell him that to them, and specially to the working classes, it is not a luxury but a necessity, as after the day's hard toil they find a soothing effect to their aching bodies and minds by a smoke of *hukka*. If he considers it at all a luxury, it is the only luxury that India's poor enjoy. The tax on tobacco is really a tax on the poor. This excise duty on tobacco will also be a great hit to the tobacco growers. I must emphatically protest against the imposition of this tax, which will add a great burden on the already burdened people of India. I hope that the Honourable the Finance Member will drop this duty and will seek another avenue to make up the amount thus lost.

Next, I come to the excise duty on vegetable products, which necessarily include *Vanaspati* ghee. It is a common knowledge that owing to high prices and unavailability of ghee, the poorer sections of the community have to depend on *Vanaspati* ghee. This again is a tax on the poor who are already groaning under heavy taxation. The prices of ghee, owing to the imposition of this excise duty, are bound to go up and so the Honourable the Finance Member will be depriving the people of the only nutritive thing which they take.

Sir, the most common tax to which the Honourable the Finance Member turns his attention every year is the tax on incomes. Although there is no change in regard to incomes up to Rs. 5,000, I do not think that there was any justification for the increase of surcharge on incomes over Rs. 5,000.

Sir, I now turn to the increase in postage rates. The increase in the rates of parcels will again hit hard the people at large, as only ordinary and common persons send parcels of lesser weight. The increase of two pice on a tola or fraction thereof exceeding one tola in case of letters will generally affect the business community and this coupled with the increase in the surcharge on income-tax and super-tax is bound to be greatly resented by them. I may add here that this has very little justification as the department is a department of public utility and has already been making enormous profits.

Let me say a few words about defence expenditure, and especially the financial settlement with which the Honourable the Finance Member dealt in his Budget speech at great length. While the original terms of the settlement entered into in November, 1939, were not very unfavourable to the Indian taxpayer, the way in which, as a result of expansion of the armed forces of the country and the complicated situation arising out of the presence of U. S. Army and other troops in this country, it is sought to apportion the expenditure on the basis of joint war measures and so on, may result in saddling India with a far heavier expenditure than would legitimately be debitable to her. I earnestly hope that the Honourable Member would keep the interests of India and her capacity to pay in the forefront before he finally agrees to any such apportionment. In any case, I am sure the House should make it clear that it has had no hand in the commitment which the Honourable the Finance Member may enter into.

As regards the large accumulations of sterling to India's credit, warnings have been issued both from the press and the platform and by previous speakers in this House, that they should not be frittered away by being kept in England without any conditions as to the terms of their repayment, but every effort should be made in order that, in the immediate post-war period, we may not be handicapped in making our purchases of machinery and other heavy articles which will surely be needed to rehabilitate industry, in the cheapest market, without being tied down to the apron strings of England.

Sir, before I sit down, I appeal to the Honourable the Finance Member to show at least some sympathy to the poor people of this unfortunate country by revising his policy of placing high burdens of taxation on their shoulders, and, if, in spite of the unanimous demands of the representatives of the country, he persists in doing so, the responsibility for the consequences will be his and his alone. In his enthusiasm to raise money to make up the deficit in the Budget, he must see that the poor and ill-fed people of this country are not deprived of their daily bread and other bare necessities of life. With these words, I conclude my speech.

Khan Bahadur Mian Ghulam Kadir Muhammad Shahban (Sind Jagirdars and Zamindars: Landholders). Sir, the Budget on which the present discussion is taking place coincides with a unique period in the history of this country. This Budget will constitute a landmark in the financial history of India for two reasons.

The first is that, after being a debtor country for over a century and a half, India is starting on a new career as a creditor country. Without war's intervention it is doubtful whether such a phenomenal change in the financial status of this country would have been possible within a century. India's transition from a debtor to a creditor country has been indeed a sublime spectacle of the War.

The other reason for my regarding the Budget as a memorable event is, that in spite of a budget deficit exceeding the total budget of a pre-war year, and in spite of heavy taxation and unprecedented war expenditure, the country has stood the strain of war well.

We can, I believe, afford to look back upon the three and half years of war-finance with a feeling of relief and satisfaction. But during the year that is now ending certain forces have been at work inspiring fear, causing grave doubts and creating gloom in the minds of the people. It is felt, I think quite rightly, that the difficult tasks of war-finance have only just begun. So that our experience of the immediate past should not mislead us into taking a course of smooth sailing in the coming year for granted. Dark clouds have been gathering on India's economic horizon for some time. While the Honourable Member has deprecated loose talk and wild exaggeration, he has not succeeded in inspiring confidence. Nor has he succeeded in proving that loose talk and wild exaggeration are baseless. And as such he has not come forward with any proposals for dealing with the emergency which the public thinks is imminent.

[Khan Bahadur Mian Ghulam Kadir Muhammad Shahban.]

This, Sir, is extremely unfortunate. The people are guided by the hard realities of life and no Government can afford to ignore the reactions of the people to these realities by explaining them away. We are today in the midst of a controversy which I remember raged during and after the last War too. I am not fond of controversy for its own sake but, Sir, I believe with Coleridge that "Never doth an important truth spread its roots so wide, or clasp the soil so stubbornly, as when it has braved the winds of controversy." Permit me to say, Sir, that the Honourable the Finance Member has shirked to face the problem of monetary inflation squarely. I am not surprised because Governments all over the world have a tendency to look upon inflation as a charge against their conscience. And no Government would plead guilty to a charge of deliberate inflation. But to my mind, Sir, inflation is an economic phenomenon, which may happen in spite of Government's best intentions. It is not a moral issue—at any rate, not in this country at present. It is no consolation to be told that "there is not the remotest risk of inflation of the nature and on the scale which occurred in some of the countries—which suffered utter defeat in the last war." That, Sir, was both an inflation and a deluge. Must we then permit the tide of inflation to rise so long as we run no risk of suffering a deluge? And yet we are told not to allow ourselves to take too pessimistic a view of the currency expansion that has taken place so far and that may be expected in the future. In 1939-40, the note circulation in India increased by 47 crores. In 1940-41 by 15 crores. In 1941-42 by 142 crores. In 1942-43 it has already increased by 280 crores. If this rate of expansion is maintained may we expect the note issue to expand by another 400 crores in the coming year and exceed the 1,000 crore mark. And all this expansion is exclusive of the addition of rupee coin, rupee notes and subsidiary coin. I do not say that the expansion of currency is *per se* objectionable. I agree with the Honourable the Finance Member that "all the expansion and intensification of Government's War activities involves cash payments to an everwidening circle of recipients in return for labour and raw material or services." I also know that our note issue is well covered by assets in accordance with the law and that no part of its expansion has been necessitated by Government's budgetary needs. I can assure the Honourable Member that he can have a clear conscience on that score. But the Honourable Member has been, I fear, sadly off the mark in observing that the impact of an increasing volume of purchasing power on a stationary or diminishing volume of consumable goods is a temporary situation. But, Sir, I ask can a situation be described as temporary in which business has been revelling in prosperity in a bloated and diseased prosperity—at the very time when people have been suffering the greatest privations and want of food.

In war time the real test of inflation is to determine whether purchasing power in the hands of the public has increased simultaneously with the increase of war expenditure. Such expenditure should include the expenditure within the country not only of its own Government but also that of the Allied Governments. It is the aggregate of war expenditure incurred which is the proper measure of the extent to which goods and services are requisitioned for purposes of war and denied to consumers. So far as the expenditure of the Government of India is concerned, nearly all of it comes from the pockets of the people by way of taxes and loans. As the Government spends more and acquires a greater slice of the national production, less is left for the people to consume and also less purchasing power is left in their hands to spend.

But in the case of expenditure on behalf of Allied Governments, the reverse is the case. Greater the purchases, greater the amount of money left in the hands of the people—money created against sterling received in payment of supplies. As these purchases intensify the shortage of goods on the one hand, they inflate the volume of purchasing power on the other. There is in this case a head-on struggle between diminishing quantity of goods and services and an increasing a flow of purchasing power. This is monetary inflation as clear as

day light in spite of Government's clear conscience, in spite of Government's sound finances and in spite of the strength of our currency reserves.

Sir, an embarrassing volume of free purchasing power has accumulated in the country. It is gratifying to learn that the Honourable Member has recognised in this, the crux of the matter. We are experiencing daily the impact of this free purchasing power on our standards of living. Such increase of money incomes, I must point out, is a universal phenomenon. But it is fundamental principal of war finance to adopt measures for draining it away. That is a primary obligation of Government. To the extent that people neutralise their purchasing power by hoarding cash, this anti-inflationary action is a compliment to the people and not to the Government. It slows down the tempo of inflation. It cannot check it effectively. But the potential danger of inflation becomes cumulative. The menace of inflation is not confined to what it is. Account must be taken also of its potential. Informed opinion in the country considers the present price situation to be one of the galloping inflation. I am, Sir, inclined to agree with this view. It is no consolation to be told that in the rise of prices we must allow for the slack that it was necessary to take up. The initial rise of prices may legitimately be accepted as healthy. But that does not make the subsequent and continuous increase a matter for satisfaction.

Sir, no Government can solve the problem of scarcity in war time. But every Government has the moral obligation to prevent an undue expansion of purchasing power in the midst of growing scarcity. The discharge of this obligation with boldness becomes a mark of political sagacity, economic wisdom, social justice and moral duty. I regret to observe that the Government of India have not borne this task with boldness. So that, they have failed to maintain social justice and confidence in the efficacy of their economic policy. Inflation, Sir, is the most insidious form of disguised and extremely regressive taxation, making the poor poorer, the rich richer and creating an illusion of prosperity. Loose talk and wild exaggeration, hoarding and speculation are a product of rising prices and are in their turn fed by rising prices. It is a vicious circle. If the Government possesses a sense of reality they ought to ponder deeply on what is and not what, in their opinion, ought to be. Land values have rocketed sky high. Free purchasing power is seeking outlet into a durable asset. Commodities all over are rising. The poor have begun to compare money with dust. I am, Sir, a humble representative of people and in close touch with them both in the urban and rural areas. I know what they are thinking and feeling. The Honourable the Finance Member has, moreover, without perhaps knowing it himself, prepared us for a further rise of prices. A Government which is serious about its anti-inflationary policy is guilty of inconsistency if it expects a higher yield from the excess profits tax. The excess profits tax is admittedly an anti-inflationary measure. How then can Government anticipate a higher yield in the coming year and yet succeed in holding inflation at bay? The yield from the excess profits tax in the current year is 26 crores as against an estimated yield of 19 crores. In the coming year it is expected to be 40 crores. Excess profits are largely a function of prices. Should the country then expect the rise of prices to continue unchecked?

The source of the trouble lies in the arrangements in force, for making rupee disbursements on behalf of His Majesty's Government and Allied Governments. The Honourable Member has attempted to explain away these arrangements. He has not denied that these arrangements have been responsible for the creation of a large volume of free purchasing power. To the extent that our sterling balances have been the basis of currency expansion, I fail to understand the Honourable Member's observation that "they have no bearing on the internal problem". I have faith in our ultimate victory. But my faith does not justify me in ignoring the present, in the hope that after victory the

[Khan Bahadur Mian Ghulam Kadir Muhammad Shahban.]

Government of India will be in a position to pursue sound financial policies. May I remind the Honourable Member that no country, belligerent or neutral, has pursued a currency policy similar to our own. No country dare do it or tolerate a Government that dares it. And yet we are asked not to take too pessimistic a view of the situation. I agree with the Honourable Member that "in a common war effort the usual methods of settling international indebtedness in goods and services are not available". But surely there are alternative methods of doing so. Why have they not been explored more fully? The repatriation of sterling debt has been employed in settling international indebtedness, we are grateful for it. But the end of repatriation should not mark the end of our efforts. The country was expecting a bold pronouncement of policy. It has been disappointed. Government's silence itself is likely to aggravate the inflationary forces at work.

Serious situations require drastic and bold remedies. The threat of inflation during war time must be taken with the same degree of seriousness as the threat of war itself during peace time. And yet we have been served only with pious hopes that the public would subscribe to the defence loans and abstain from consumption.

Mr. Chairman (Sir Cowasjee Jehangir): Honourable Member has only two minutes more.

Khan Bahadur Mian Ghulam Kadir Muhammad Shahban: Inflationary forces cannot be held in check by such hopes. We need some action now and immediately, to halt the inflationary tide by preventing a further expansion of currency. If I were the Finance Member, I would, as emergency measures, do three things. One to revalue the gold stock of the Reserve Bank of India. This House will remember that the Reserve Bank of India is the only central Bank in the world which still continues to value its gold at the old rate of just over Rs. 21 per tola. At that old rate the Reserve Bank is holding gold worth about Rs. 45 crores. But to-day the market value of the Bank's gold is about Rs. 140 crores. Even if this gold is valued at the rate at which the Bank of England's gold is valued, namely, Rs. 42 per tola, its total value in rupees will be about Rs. 90 crores.

Now, suppose we revalue our gold at the official price of gold in England. Not that there is anything sacred about this price. But I have no mind to hurt the Honourable the Finance Member by suggesting anything un-English! Well, we then mark up the value of Reserve Bank gold at Rs. 90 crores. But the Reserve Bank could still pull on with gold nominally worth Rs. 45 crores and the rest worth about Rs. 65 crores at the present market price, the Bank could dispose of in the market and cancel currency of equivalent amount against it. The disposal of this gold would absorb Rs. 65 crores of purchasing power. Its sale will have an anti-inflationary effect. I can well imagine what the Honourable the Finance Member will think of my idea. He will probably say that the Government in its senses would agree to fritter away national gold reserves like that at a time when all countries are conserving their gold stocks. I grant, Sir, that gold reserves are to be used in meeting emergencies only but I maintain that an impending inflation is one such emergency. But it should be remembered that gold sold will remain within the country. My proposal has, therefore, the sanction of the requirements of the present time. Not only that. It has got the merit of being an attractive business proposition which should appeal to any Government with a businesslike Finance Member like my Honourable friend at the helm of affairs. The Government is required to sell half the Reserve Bank gold at thrice the price at which that gold was acquired. After the war when it may be expected the price of gold will fall, the Bank, if it so desires, would be able to buy back cheaper the gold sold now.

Mr. Chairman (Sir Cowasjee Jehangir): Honourable Member's time is up.

Khan Bahadur Mian Ghulam Kadir Muhammad Shahban: Only one second, Sir. I confess, Sir, my remedy is most unorthodox. Had it come from an authority on finance it might have been regarded as extremely original.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I really rise with a heavy heart. The Honourable the Finance Member may be feeling himself very happy because he has brought about a Budget which must have troubled him very much. I think he must have spent several sleepless nights to extricate himself from the difficult position in which he was. If he asks that I should sympathise with him because he went to England and there had consultations with the British Government—in whose interests, I do not know—and then came back, I will sympathise with him. But I cannot congratulate him. There is no doubt that he took much trouble in going there, but he did not take any of us into his confidence nor did he consider the whole situation along with some other responsible non-officials. He ought to have taken into his confidence at least those commercial members who are going to be hit or affected by a Budget like this.

Now, Sir, the Honourable the Finance Member has brought about a Budget with a deficit of 60·29 crores and he is asking us to consider it and to say how it should be valued. Of course, he has suggested his own ways and means by which he wants to balance it. But I can say this that we find ourselves helpless to extend to him any help to balance the Budget because at this moment there are very important questions to be considered which had never arisen before.

The first and the foremost is the question of repatriation. Then the second question is with regard to the sterling accumulations and how to dispose them of: whether they should remain in England or not. Then there is a question of lease and lend arrangements for India. This is also a very important question. Then we have local questions also, such as dearness allowances to be given and production and supply of food. These are all questions which cannot be decided by merely bringing in budget and saying, "well, we have decided this way, and you must accept it". I submit that is a wrong way of doing these things. It is not a right thing to say, because war is going on, therefore, Government think that they will decide for themselves and make us to agree to what they decided. I am afraid, that is not the proper way. We should not do that and vote in dark. The Honourable the Finance Member wants that this deficit should be met by taxation. He knows it fully well that taxation in this country has reached an extent beyond which it is not possible for the public to bear. He knows it well, still the Finance Member comes and says that Government require this money owing to the exigencies of the war. I should like to ask him, why tax people at this time when they are suffering under several disadvantages on account of the war. Formerly, when there was any deficit in Government budget, people were asked to give monetary help and taxation was resorted to very rarely. At present when the people have not got sufficient food to eat—there is so much scarcity of food and prices have gone up—it will prove your shortsightedness if you resort to taxation. Four kinds of taxation have been proposed. So far as income-tax is concerned, I do not think that income-tax should be increased at all. Income-tax is a direct taxation and it is already very high: it should not be increased, because it has been increased from time to time. Fresh proposals are bound to place heavy burden upon the people. It may be argued that income-tax rate has been increased on incomes of five thousand and above, and it would not affect the poor people. The point is this: there are other persons also of whom the Honourable the Finance Member should think. There is a middle class and an industrial class. They will be hard hit by this increase when you also want money from them on account of war. You are getting apathy with them rather than sympathy by this taxation. Exemption limit of five thousand is not going to be of much benefit to the middle class and the industrial class.

[Mr. Lalchand Navalrai.]

Conditions today are not certainly the same as were in August, 1939. In August, 1939, the index number of the wholesale prices in Calcutta for all commodities was 100. In January, 1943, the index number stood at 254. The real income is less than half. Under these conditions the imposition of a new taxation is nothing short of adding insult to injury. Government has got a great credit, it is no use raising 20 crores by taxation. They can print any number of currency notes.

The Honourable Sir Jeremy Raismen: I am going to pocket all this insult.

Mr. Lalchand Navalrai: You have got to do, because you have not taken us into confidence, otherwise we should have congratulated you. It is a deficit of 20 crores which you intend to make up by taxation. You are going to borrow to the extent of 40 crores. I suggest that you should borrow this 20 crores as well. Government have got their credit with the Lease and Lend business and with the British Government. That being the case, why put poor people to unnecessary trouble by raising this income-tax rate?

With regard to the question of postal rates, I do not see any justification for an increase in these rates. There is a surplus in the Postal Department. The Postal Department is, of course, a public utility department and has been making profits for a number of years. I need not go into details of these figures. Perhaps the Government is forgetting that it is not the function of a public utility department to go on increasing its profits. The following figures show the annual surplus in the Department:

	(In thousand of rupees.)		(In thousand of rupees.)
1934-35	37.94	1940-41	1, 4,80
1935-36	47	1941-42	3,40,63
1936-37	11.55	1942-43	4,2,07
		1943-44	8,36,17

On comparison of these figures I feel that there is no justification for raising the postal rates. Why raise to one anna over one tola. That hits very hard to the people. I do not think that the Honourable the Finance Member should persist in that. Of course, amendments will be given, and at that time these questions will be considered in detail. Any how the Finance Member should consider that these are the things which do not give good name to the Government.

With regard to the tax on tobacco. Well, Sir, I am not a smoker myself.

The Honourable Sir Jeremy Raisman: I am.

Mr. Lalchand Navalrai: I would agree to that tax. If any tax is to be levied, I would agree to the levy of tax on tobacco. I see that the habit of smoking is growing rapidly among Indians. There is a large majority of people who smoke and I have no sympathy with them. There is also another thing, I mean bridge-playing. To put an end to this thing I wanted to get a piece of legislation, but nobody would help me. People play bridge the whole night and go on smoking. What I mean to say is this: so far as tobacco is concerned it is really a luxury. I do not think it is a necessity. People have become habituated to it. Very good, have the tax from them. I will not object to your having more from them. I do not think even then they will decrease smoking. I am quite sure this will affect their health, but yet they will not give up smoking.

Mr. Jamnadas M. Mehta: I am willing to pay.

Mr. Lalchand Navalrai: For that luxury, you must pay. If you also give up smoking, that will do your good, you will feel as I feel.

Mr. Jamnadas M. Mehta: What about the poor man, who smokes *bidi*.

Mr. Lalchand Navalrai: *Bidi* is stinking. It leads to asthma and other diseases of the lungs.

An Honourable Member: What about slums where the poor people are living.

Mr. Lalchand Navalrai: Yes, the slums also should be removed. If it were in my hands, I will remove them also.

Now, I will say a few words so far as other considerations of the Budget are concerned. I wish to say a few words about sterling repatriation and also about accumulation. We are completely in the dark as to how the settlement has been made. We are not told even now what are the assets left in England pertaining to India. We are not told how much remains still to be repatriated.

The Honourable Sir Jeremy Raisman: The figures are all given in the Budget speech.

Mr. Lalchand Navalrai: I should like to understand from the Honourable the Finance Member when he gives the reply to tell us plainly because those figures are all puzzling and we may not be able to follow them fully.

The Honourable Sir Jeremy Raisman: I am afraid I can only give the Honourable Member figures, I cannot give him capacity to follow.

Mr. Lalchand Navalrai: The capacity will come the moment you give the figures. If you give the figures, you will see how I cross-examine you.

The Honourable Sir Jeremy Raisman: My tuition fees are rather high.

Mr. Lalchand Navalrai: My point is that we are not in possession of sufficient materials to satisfy us and which would give confidence to us that we are really allowing a Budget to be passed which should be passed.

With regard to the defence expenditure we are told that the present financial settlement still holds good and that all expansions in land forces of India must be considered as one of joint war measure and that the cost should be divided in a certain manner which has been given by the Honourable the Finance Member. We are told that this arrangement is equitable and that the method of dividing the cost of this joint war measure has great advantages not only of "simplicity and administrative convenience" but also of "minimum of accounting" and ensures "that effective financial and administrative initiative and authority for these measures was located in India". The method may be simple, quite convenient from the administrative point of view, may involve minimum of accounting and yet may not be quite so equitable as the Honourable the Finance Member makes it out. The revised estimate of defence expenditure for the year 1942-43 amounts to Rs. 1,89,75 lakhs and Rs. 49,14 lakhs under the Revenue and Capital heads respectively. For 1943-44 the expenditure is put at Rs. 1,82,81 lakhs and Rs. 16,85 lakhs under Revenue and Capital portion respectively. Now, Sir, I find that the statement of expenditure for the past few years has also been given to us. From 46 crores in 1938-39 the net expenditure has risen to Rs. 189 crores and 183 crores in 1942-43 and 1943-44 respectively. It should be noted that these figures do not include the capital portion. Will it be seriously argued, may I ask, that Rs. 136 crores for 1942-43 and 127 crores for 1943-44 budgeted as India's war measures are required only for India's safety? The provision that India should pay for raising, training and equipping from India resources of all land forces raised in India as long as they stay in the country and are available for local defence of India and when they leave for overseas His Majesty's Government would assume all further liability is by no means to this country.

Mr. Chairman (Sir Cowasjee Jehangir): The Honourable Member has one minute more to conclude his speech.

Mr. Lalchand Navalrai: Very well, Sir. On the face of it and according to the statement of the Finance Member himself, it is quite clear that a very large part of the land forces is raised not for India's safety, but for the safeguarding of the British Empire in the East.

Mr. Chairman (Sir Cowasjee Jehangir): The Honourable Member must conclude.

Mr. Lalchand Navalrai: I will, Sir. It is an open and acknowledged fact that India is or is going to be the base for all offensive in the East. That being so, it is but fair that even when the army is being raised and trained in this country, a considerable part of the expenditure, in fairness, must be met by His Majesty's Government.

Mr T. T. Krishnamachari (Panjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, at the outset, I should like to offer my congratulations to the Honourable the Finance Member on the extremely clever performance to which he treated this House last Saturday. I must also congratulate him for the suavity of his language and the suave manner in which he unfolded a distressing tale to us. Sir, I do not propose to deal at length with the new taxation proposals that were unfolded by him the other day. In point of fact, they pale into insignificance compared with the financial implications of the budgetary proposals that were made known to us. There is, however, one point, I should like to mention about the new taxes. Apart from the question of burden that they impose on the people of this country; it would be a matter which would bear investigation whether the Central Government should go on progressively increasing its excise duties to the detriment of the revenues of the Provinces, Provinces which need more revenue and whose sources of income are notoriously inelastic.

Sir, with regard to the major implications raised by his proposals, I should like to confine myself to those which relate to war expenditure, particularly those which relate to allocation of expenditure, and secondly to the question of lease and lend and thirdly and lastly to currency policy and sterling balances in London. Sir, the Honourable the Finance Member sought to persuade us into the belief that these joint war measures and the allocation thereof which were decided by a settlement between the United Kingdom and the Government of India in 1939 were not quite equitable, and naturally he was impelled to intercede on behalf of India by the relative poverty of this country. I am not in a position to go into details because of lack of information other than what was disclosed to us. But I would like to ask a question or two on this matter of equity. The House will like to know about the allocation of the expenses of raising men of British-birth who were employed in commercial firms and in other civilian occupation in this country, to officer the Indian Army. Are these expenses being borne by the Indian Government? I might also ask what portion of the cost of the European Army in India is being borne by the British Government, specially in view of the now notorious statement which was made in the House of Commons sometime back by Mr. Winston Churchill that the strength of the British Army in India is the highest that it ever was. Sir, that speech of Mr. Churchill gives the clue to the situation. I agree that we are a subordinate country; I agree that the Honourable the Finance Member is placed in a difficult position and I sympathize with him. His allegiance is definitely to the Imperial Government which controls the destinies of this country and it is certainly a matter to feel thankful that the Honourable the Finance Member, considering his association with this country, spreads over perhaps a quarter of a century, has tried to make the blow a little less severe. I could see that he sympathizes with this country and that is probably why there are no real harsh words against India and Indians, against movements in India which are the customary feature of the pronouncements of Government Members in this House. Sir, I would like particularly an answer to that question—with regard to raising of British Officers in this country for the Indian Army. I might mention for the benefit of the House that any man whose services can be spared—people from commercial firms—is immediately made into an officer irrespective of the fact that he has had no previous experience of how to run a platoon or a battalion, and merely because of the colour of his skin, and nothing more. Sir, is that a joint war measure, and if not who bears the burden?

Another point on which I would like some enlightenment is this. The Honourable the Finance Member mentioned to us that in the matter of the Indian troops which are sent overseas, the cost of raising, the cost of training, the cost of equipping them with such resources as are available in India, are all borne by the United Kingdom the moment they are sent overseas. It does

not look very pleasant to hear that this army is treated purely as mercenaries and as such are bought for this paltry sum which would cover training, raising and equipping. In this connection what we would like to know is about the other implications that follow—their pensions, disablement, death, and what will happen when they will come back to this country? I say, Sir, that the Finance Member's treatment of that subject is a trifle inadequate and the House would certainly like more enlightenment on this particular aspect of the matter.

Sir, I suppose convention demands that we should congratulate the Finance Member or feel thankful that he has so far persuaded the great Government of the United Kingdom to permit the settlement that was arrived at in 1939 to continue subject to certain alterations which new factors in the war situation have made necessary but which, however, are of far-reaching importance so far as the financial burden to be borne by this country goes. Sir, that is all that is told. We can ask no more, excepting to protest that this is in effect going back on the settlement. Take, for instance, the question of expansion of munition and industrial factories in India for war purposes. Half the cost of these factories is to be borne by the Indian Government and the other half by the British Government. Well, the Finance Member might feel that it is a matter for congratulation because he has achieved it, but is it really a fact that is of material advantage to India? I might ask the Finance Member if he knows that prior to the coming into force of the Lease and Lend aid from the United States when Britain was purchasing munitions and other equipment from America on the Cash and Carry basis, if it was not a fact that the British Government was paying for the plant and other equipment which were needed for the expansion of certain American industries. If Britain wants munitions and other material from this country, naturally they have to pay not only for the cost of manufacture but also for the expansion needed for the purpose. And, Sir, is it right on the part of the Honourable the Finance Member to hold forth that this cost that is borne by India is going to result in lasting benefit for this country? What are these expansions of industrial plant really worth and what will be the commercial value of this expansion at the end of the war? That, I think, is a matter on which the House and the people of India are entitled to further enlightenment.

Sir, the next point is the question of Lease and Lend aid. The Lease and Lend business has been a complete mystery to us. Last year when the Honourable the Finance Member was speaking in this House, he paid a great tribute to the then Leader of the Indian Purchase Mission to U. S. A. Sir Shanmukham Chettiar—and to his ability in handling the question for us in America. I see, Sir, that that gentleman's services are no longer being used. I see also that the good work that he had commenced does not seem to have borne any fruit. Last year it was said that 42 crores of rupees worth of indents had been placed. In fact a financial journal in India at the time of the last budget sought to prove that the estimated deficit of 49 crores was really no deficit at all because the budgetary calculations had not taken into account what we were getting by way of Lease and Lend aid from the United States of America. Today we are not aware of what exactly has been received and what has not been received. This morning there was an announcement on the Radio that material for the value of 29 crores of rupees or a little more had been sent to India by way of Lease and Lend. But what about the peculiar position in which India is placed in this matter. We were told that arrangements are under way by which India would perhaps have a direct Lease-Lend Agreement with the United States of America, but what was the reason for all this delay. Why, if we cannot have direct negotiations with the United States of America, should we have in the United States an Agent General and a Purchase Mission? I am told that if today an Indian officer has to be sent by the Government of India to the United States of America, even his credentials have to be furnished by London. He has to go to London first to obtain

[Mr. T. T. Krishnamachari.]

his credentials and then proceed to the United States. If that is the status which India occupies in relation to the United States of America, what is the use of all this paraphernalia of an Agent-General and the like which is a burden on the Indian tax-payer. I would like the Honourable the Finance Member to tell us the exact position today: How much have he received; how much worth of indents have been placed; and whether there is any chance of receiving anything further. Rumours are afloat that nothing has been received in regard to certain types of equipment which are urgently needed today in India. Indents are there, and there has been absolutely no response to these indents because America is rather preoccupied with the manufacture of their own war requirements. This position is unsatisfactory and what seems to be the result is that we are landed with liability for reciprocal aid and we do not know what we are really going to get.

Sir, I would like to refer very briefly to the question of our currency position and sterling balances in London. The Honourable the Finance Member has been good enough not to lay much stress on any particular aspect of this vexed question. He did deny very casually that the Government have been following a credit inflation policy. He did not deny the fact that prices have increased, but he drew attention to the fact that at the time of the commencement of the war optimum price levels did not prevail. It is a question of just a suggestion, just a refutation rather than a definite challenge to those people who have, as it were, showered criticisms on the Government. I could understand the Honourable the Finance Member is rather chary of committing himself to a position which would involve inaccuracy and that is why the question was merely touched by him. He said the Government are not actively engaged in a credit inflation policy.

While saying this the Honourable the Finance Member emphasised the fact that the Indian Government were bound in order to aid the war effort to provide the finance for the requirements of the United Kingdom

4 P.M. and the Allied Nations in this country. That, Sir, seems to be the crux of the problem. And cleverly the Government of India have used a slogan, a slogan so often repeated by Indian politicians, the cry of repatriation of India's debt. Economists have during the early stages of this transaction praised the Government of India for having followed a wise policy of repatriation. The cry was we are no longer a debtor nation. As if that meant anything at all. Here, Sir, was a clever use of the cry of the Indian politician and academic Economists for repatriation, which has really served as a smoke screen to hide the main issue. And what are we landed with today? We find ourselves in a position of having assets in London which are not realisable for the reason that we cannot get them here. The Honourable Mr. Mehta pointed out clearly the absurdity of this position. We have had to give the goods and the value of the goods because the money is elsewhere and cannot be brought into this country. Now, if anybody says that keep the balance in sterling in India, the statement amounts to a definite attempt to hinder war effort. You define criticism of particular acts, acts of Government, as being reasonable and at the same time you persist in the same course of action. That means that Government want to shut out criticism. I am not able to agree with the statement put forward by the Leader of the European Group that all is well with this country. It may be that the group feel that all will be well with this country if we entrust our commerce, our industries, banking and finance to them. Then everything will be well. The Honourable Mr. Mehta has said that this is a rich man's budget. He was, I am afraid, somewhat inexact. It is neither a rich man's budget nor a poor man's budget. The truth is that in the view of those who seek to control the destinies of this country there should be no rich man in this country. We should all be poor. Sir, that is by the

way. What is really most needed today is that confidence must be created in this country, and confidence is not going to be created by the Honourable the Finance Member there saying we have to borrow more and more. How can you do that when stable conditions do not exist in the country? Your expansion of currency has resulted, as one of the Honourable Members who spoke before me put it, in the prices of real estate rocketing in the stocks and shares registering steep rises in value and the securities market remaining weak. How can you in these circumstances expect people to come and put in more money in your Government securities. What then is the meaning of talking of borrowing more and more money? The position is no doubt desperate. The Finance Member has not suggested any remedies. Whether credit inflation has been an active act of Government or a passive act, into which the Government have been pushed by force of circumstances, the inflationary trend is there. Prices of everything except Government paper are going up. Currency is expanding. There is no chance of currency being contracted at any time. With all these tendencies—call them if you like an inflationary trend and not real inflation—what has been done to check these tendencies. We might entertain pious hopes that we are going to control prices but that does not lead to achievement. There was no mention of these inflationary tendencies in your budget speech last year. What is being done to control the situation? The Honourable the Finance Member made a long and illuminating speech intended for those people who wanted to take him on trust and fully believe in him. But there is no hope that the future is going to hold out anything better than it holds out for us today. It seems to me that being a creditor country is the most disadvantageous thing in the world today. If you are a debtor you at any rate know your position and you have your resources in your country. We have given our goods and we have doubtful assets in a foreign country in the shape of a over-valued currency, the position of which might be much worse at the end of the war. Sir, I do not want to take up the time of House by telling the House what will happen to this accumulated surplus. There will then be no time for other people to speak after me but the fact is that the country has no confidence in the Government's financial policy. The country does not believe that this accumulation in sterling is for the benefit of India, and the country does not believe that in all arrangements, in which India and Britain have to come to an agreement, the junior partner ever gets fair treatment. It is mentioned that the Auditor General scrutinises the whole question of allocation of expenditure. May I ask whether the colour of the Auditor General is white or black? I do not believe in the fundamental honesty of man that he will really, to do justice, ignore the interests of his own country at a time when it is facing a crisis and that in order to benefit a country like India. If the Auditor General is an Indian official, then what you say might have something in it. To say that the fact the Auditor General of India scrutinises the allocation of expenditure and that is unimpeachable evidence that justice is done to India is really misrepresenting facts. Sir, I would only add, before I sit down, that we want a more elaboration of the facts. We want to be told definitely that this is the real position and that the Government cannot do anything better. Let the guilt come off the bread. Let us be told that this country is being exploited, not for the ultimate safety of its nationals but for the purpose of the Imperial Government who own the country. If we are told the truth then we know who is to blame; not certainly the members on the Treasury Benches but ourselves. But let not suave words to be freely used to conceal the truth.

Mr. Chairman (Sir Cowasjee Jahangir): How long will the Finance Member take.

The Honourable Sir Jeremy Raisman (Finance Member): I shall require about 40 minutes.

Mr. Chairman (Sir Cowasjee Jahangir): Mr. Hooseinbhoj, you want to speak. Will you finish in about 12 minutes?

Mr. Hooseinbhoy A. Lalljee (Bombay Central Division: Muhammadan Rural): I will try to finish in that time.

Mr. Chairman (Sir Cowasjee Jehangir) **Mr. Hooseinbhoy.**

Mr. Hooseinbhoy A. Lalljee (Bombay Central Division: Muhammadan Rural): There is no denying the fact that in preparing this Budget the Honourable the Finance Member has done work which it was not easy to perform. We have had many budgets before us, but we have seldom had to pass through such times, and more particularly such a war. Therefore, Sir, I do say that the great labour that the Honourable the Finance Member has bestowed upon this Budget and the facts that he has placed before us are such that we can very well make up our minds; and I thank the Honourable the Finance Member for the best he has been able to do in the circumstances. Sir, a great deal has been said about our surplus sterling balances, and much is being said about prosperity in this country, and that the condition of labour and that of agriculturists has much improved. As a business man, Sir, I always believe that the condition improves only if the real value is received. It is a fact that all this surplus that is now in sterling abroad is the value of the goods that we have sent. When all this money comes back to India with its profits, then and then only will I say that we have got back all that prosperity which we are claiming today. What has happened at present? The only thing has been that the people have got from one pocket to the other a certain amount of money, and a free flow of money for everybody to spend, but not the real money. Therefore we have got to be very very careful with regard to our balances abroad. It ought never to be taken into consideration that these monies are to be monies which could be spent on anything or everything, or even in the development of industrial India without the consent of the people from which a large portion has been taken.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I mean a large portion because I think that it is due to those agriculturists whose raw produce we have exported, and a large portion of those people who have used their labour to produce all these materials that we have sent abroad.

It has also been said that we have been very fortunate in being able to become a creditor nation. Here again I say most emphatically that not until you are victorious in this war, not until you gain equality all over the world to be able to trade and do business and move about as equals, can you achieve anything at all. We find that the Honourable the Finance Member has laid down almost a rule—and it is a good rule—that he takes one-fourth of the deficit by taxation and three-fourths by loans. About a year ago I definitely asked him to lay down some lines, but it seems from the last two budgets that he has adopted this principle; but here again one has got to consider very seriously the military side of the Budget. The Honourable the Finance Member, with great difficulty we must admit, has made some estimates. He assumes that in this year the expenses, both capital and recurring, will be less than that of last year. Let us hope and pray that that may be the condition. But I do not see the justification for that presumption except in one respect and that is when he puts down, for aerodromes, a very large expense, and he expects that a little less would have to be incurred hereafter. There is no doubt he does not hope that there should be less army in India, nor is there any sign that within a year we shall be able to be in such a position as to cut down these expenses.

With regard to aerodromes, we have got to consider very seriously the very heavy expenditure of crores of rupees that is being incurred, and the liability that will be thrown upon this country on account of the suggestions not only of our experts but of the experts from America, who are going to pay you something—not all—for the part of the aerodrome scheme which they have suggested, and we have now to deal, so far as the capital expenditure of

that huge sum of crores of rupees is concerned, in two parts, if I am correct. One is the aerodromes which are being built by the advice of our experts, and aerodromes that are being built on the advice and on account of the Americans. I do not know hereafter how we shall stand with regard to the American people. The lease-lend figures—we have not got them—but from such figures as the Honourable the Finance Member has given, we do find that so far as this poor country is concerned, the amount we shall have to pay here in reciprocal agreement will be equal to or a little more than what we have got to incur. If that is so, the great lease-lend, so far as our poor country is concerned, is of no good at all. . .

The Honourable Sir Jeremy Raisman: I do not know whence the Honourable Member drew the first statement that he just made. Where did he get it from?

Mr. Hooseinbhoy A. Lalljee: In the Budget speech of yours you have made provision for the amount of Rs. 16 crores and Rs. 8 crores to be given by us for the American armies in India; and you have also given us the figures of the cost of the aerodromes that are being built or have been undertaken to be built for the Americans. I do not mind what or whose you call them, because I can never agree that they will remain the property of Americans hereafter in this country—though we may build it now for their use. Am I right? Anyhow, that is the position I can make out. . .

The Honourable Sir Jeremy Raisman: The Honourable Member was entirely wrong in the statement he just made; that is all I can say.

Mr. Hooseinbhoy A. Lalljee: You cannot give us the figures and. . .

The Honourable Sir Jeremy Raisman: I cannot allow an inaccurate statement to pass.

Mr. Hooseinbhoy A. Lalljee: All right; this is what we have found. It may be quite correct that what I say is not correct. But we will certainly ask the Honourable the Finance Member to give us the figures. It is no use merely saying that I am not correct. I concede he has the figures and he knows better but what we have here shows clearly that up to now our position with regard to the American people and the things we have got on lease-lend from them do not show that they have conferred any very great benefit on India by way of lease-lend if we have to pay here for their expenses that we will have to incur on their behalf, and which they have and will incur here themselves.

With regard to the settlement that has taken place in England, I have every faith that our Finance Member has tried his level best to put the rights of India as fairly and as squarely as possible; and so far as he can give us an account great adjustments have still to be made; but those that have been made are, I must admit, appear to be fair to India. But I repeat again we have got still to rely upon things that are connected and that are going to be settled hereafter—such as, joint war measures and other things, and those things are not small; those amounts will be very very big; and let it be understood that this country must be made to bear only such amount as she can really bear the burden of. . .

Mr. President (The Honourable Sir Abdur Rahim): I understand it was arranged that the Honourable the Finance Member will take forty minutes for his speech.

Mr. Hooseinbhoy A. Lalljee: That has been my misfortune: I agreed to it as I had no alternative the time being short but anyhow I will finish within two minutes.

With regard to the tobacco tax, I will only say one word and that is this: so far as my poor countrymen are concerned, many times it has been agreed that their condition is very very pitiable and upto now nobody has or can deny that. A little smoking allowed to them ought not to be grudged. Do not be so cruel to these poor people who are often starving, and it is a fact that some-

[Mr. Hooseinbhoj A. Lalljee.]

time even to avoid pangs of such starvation that they smoke a *hooka* or a *budi*. I have no objection to cigars and cigarettes being taxed if you like.

The Honourable Sir Jeremy Raisman: I anticipate that I shall find some difficulty in attempting to traverse all the points which have been raised throughout the day in the course of a considerable number of speeches, and I shall have to try and confine myself to the main questions with which speakers have mostly been concerned.

I would deal first with the Financial Settlement. I have tried to exhibit in the fullest possible detail all the considerations which had to be taken into account and the nature and progress of the discussions in regard to that very complex matter. Nevertheless, I find that there are several Honourable Members who still entertain grave misgivings about the Settlement. Mr. Nauman, and I think my Honourable friend, Mr. Jamnadas Mehta, asked me whether the Government of India, in agreeing to this arrangement, had borne in mind the financial capacity of India. My answer to that is emphatically in the affirmative; in fact, I would go so far as to say that by no other criterion could this settlement be justified. There is no argument of logic which would allot to India so small a share of the cost of defending India against a genuine imminent danger—there is, I say, no logical criterion that would lead to that result except the estimated inability of India to make a larger contribution. The Government of India have been fully and constantly conscious of that factor in dealing with this matter, and I can conscientiously say that no point that could possibly have been made or gained on behalf of India has been overlooked.

Mr. Muhammad Nauman: Then why did you fight shy of consulting this Legislature?

The Honourable Sir Jeremy Raisman: It is not possible for the whole business of Government to be conducted in a process of consultation with the Legislature, and I do not think that matters of this kind would have lent themselves to continuous consultation.

Mr. Muhammad Nauman: At least before commitment you could have placed it before us.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member should not interrupt.

The Honourable Sir Jeremy Raisman: My Honourable friend, Mr. Nauman, cast doubts on whether an equitable settlement could be arrived at between two Governments in the position of His Majesty's Government and the Government of India, and I think Mr. Krishnamachari also, with considerable sarcasm, made the same point. Well, Sir, if I have acted with any sincerity in these matters, I would ask the House to take it from me that any disadvantage in India's position has, if anything, led to the paradoxical result that India has done better than she would otherwise have done. The position is that in the desire to avoid exploiting any political advantage in the relations of the two Governments, India has been able actually to derive an advantage from her position.

Mr. Jamnadas M. Mehta: Because you say so.

The Honourable Sir Jeremy Raisman: Well, I can only give the House my sincere opinion and judgment on that matter. It is open to my Honourable friend to question that. I quite realise it, but these matters have been dealt not merely by myself but by the whole Government of India, by a Government which contained a number of Indians who were just as anxious to see justice done to India as anybody outside the Government.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Were they unanimous in support of those proposals?

The Honourable Sir Jeremy Raisman: My Honourable friend is too experienced in these matters to expect an answer to that question.

Mr. K. C. Neogy: The Honourable Member was specifying Indian Members, and that was my justification for raising the further point. The Honourable Member perfectly knows that it was not in order for him to suggest that any particular section in the Executive Council was in support of any particular view.

The Honourable Sir Jeremy Raisman: In spite of the point made by my Honourable friend, I continue to say that the Government of India fully went into this matter and that the whole Government of India were satisfied in regard to the arrangements which I have placed before this House.

There were one or two detailed questions which Mr. Krishnamachari asked me in relation to the Financial Settlement. I am afraid that the answers to them are not so simple that they could be given in a short sentence on the floor of this House. But if Mr. Krishnamachari would like to have the answers to those questions for his satisfaction, I should be very glad to put the information before him. As an example of what I mean, I will indicate what is involved in the answer to this question, "Who pays for British officers recruited in India?" It depends on whether those British officers are ultimately employed on a role which is a purely British war measure, or a purely Indian war measure, or a joint war measure. For instance, if such a British officer were employed in guarding prisoners of war, he would be entirely at the charge of His Majesty's Government, or, of course, if he was sent overseas. If he were employed in General Headquarters here, his pay would probably be borne half and half. On the other hand, there are some roles in which his pay would be borne by India entirely. That is, I think, all I need say in addition to the great length with which I dealt with the subject in my speech on the matter of the Financial Settlement.

I come now to remarks made on the taxation proposals. I do not intend to go over these in detail, because I have no doubt that they will come up again in connection with the Finance Bill and with the two special Bills introduced. But I am surprised to find how many Honourable Members there still are who think that revenue can be raised or financial deficits dealt with by measures which will affect nobody, neither the poor nor the middle class nor trade or industry and moreover measures which not only should avoid hitting the necessities of life but also the conventional necessities or even the luxuries. Well, Sir, I was distressed by the strong attack which my Honourable friend, Mr. Jannadas Mehta, made upon me in support of his statement that this is a rich man's budget. I find it rather difficult, I must say, to understand the whole position which my Honourable friend adopts. On the one hand, he assures me that he is entirely at one with us in everything which concerns the vigorous prosecution of the war and international co-operation during and after the war. I am sure he realises that the war has to be fought on the financial front as well as every other front. Now, whilst he is a vigorous supporter of a programme of total war, he wants me at the same time, so far as I can see, to avoid taxing tobacco, vegetable product, sugar, salt and matches. He desires that any surplus which may arise in the operation of the State Railways shall be returned back to the poor man in the form of reduced fares and freights. He desires that any surplus which occurs in the Postal Department should be distributed by lower postal rates. Simultaneously he desires me to increase liberally the dearness allowance. Well, if that did not present me with sufficient headaches, he also, I understand, sympathises with those who think that sterling should not be accepted as a basis for the issue of rupees to finance the war effort in India. That again I understand him to feel is compatible with a desire for the vigorous prosecution of the war. Well, my Honourable friend is in the happy position of not having to evolve anything which has to bear scrutiny as a consistent policy. It may be that I am doing him an injustice and that he could explain how all these, to me conflicting, objects could be reconciled but I must say that I myself find it extremely difficult to see how it can be done. (*An Honourable Member:* "Let him succeed you".) I only wish that my curiosity in that

[Sir Jeremy Raisman.]

respect could be gratified. At any rate, he also accuses me of stony heartedness in the matter of the treatment of the poor. I quite realise that my Honourable friend is a champion of the rights of the poor and that his utterances are based on a genuine concern for the classes who are not too well provided with this world's goods but I still claim that consistently with the responsibilities which lie on me I have pursued a policy which is as favourable to the poor man as could possibly be expected in these abnormal times. I realise that his tobacco will cost him a little more and since I myself am a smoker who highly values the solace which tobacco affords like my Honourable friend, I am sorry if anything that I have to do should interpose any obstacle between a poor man and the pipe of comfort. But, on the other hand, Mr. Jamnadas Mehta himself appears to be acutely aware of the dangers to the poor man himself if Government are unable to deal at all effectively with the financial problems which arise from the war.

I come now to the question of the sterling balances and in respect of this, there has been a good deal of criticism, much of it of a conflicting character but one main criticism is that I have not dealt fully with that subject, that I have not laid out in detail Government's policy in regard to this matter. I would like to point out in the first place that the treatment of the sterling balances, except to the extent to which they can be dealt with by repatriation proposals, is essentially a post war problem. It is not possible for me or for anybody to foresee exactly all the circumstances in which we shall have to deal with this matter after the war. After all, the sterling balances represent a postponed claim for goods and services to be rendered at a time when they can be made available and it must be in relation to the world as it will be after the war, when the circumstances can be more clearly defined. But I would like to remind the House of the precise manner in which the sterling balances arise. I find that there is a general feeling that goods are exported out of the country or services are possibly rendered in other theatres of war and that this is the only way or the main way in which the sterling balances arise but I must remind the House that in so far as the whole cost of the defence of India on Indian soil is not borne by India the debt which Britain is incurring to India arises; in other words, if the cost of the measures being taken in India for the defence of India is borne only half by India, then the other half is owed by Britain to India and becomes a sterling credit which forms part of the sterling balances. Now, that is a very pertinent matter to be borne in mind. This is not of the nature of an ordinary commercial debt which arises when goods are supplied by one party and goods are due in exchange from the other. I do not say that India even in those cases has not rendered service or has not had to undergo sacrifices . . .

Sardar Sant Singh (West Punjab: Sikh): But is it not a good debt?

The Honourable Sir Jeremy Raisman: It is a perfectly good debt. I agree that it is a good debt but I would like to remind the House of the way in which it arises in so far as the financial settlement with His Majesty's Government is meant to be attuned to India's financial capacity. Then, the remainder of the cost of defending India and of measures taken in India becomes part of the sterling balances. It is important to bear that in mind. It is not merely goods which are shipped from India or even services which are sent from India to other theatres of war.

Mr. Muhammad Nauman: May I know what has been the settlement with the other Dominions? How have they received payment?

The Honourable Sir Jeremy Raisman: Well, Sir, in regard to other Dominions, the position as far as I am aware is that all expenditure incurred by them in their own territory is borne by them and also the cost of troops sent overseas is borne by them. The cost of goods supplied to His Majesty's Government has been paid for or they have received payment to a certain extent. But in the case of Canada, which is the Dominion which has probably made the greatest supplies, the arrangements now are practically the same as those with

America. They are virtually lease-lend. In the first instance, Canada made a free gift of a thousand million dollars. That is, as soon as His Majesty's Government's resources of Canadian dollars had ceased, Canada made a free gift and now, as I understand it, in the latest position supplies from Canada are made on lease-lend. If my Honourable friend is trying to draw examples from the other Dominions which would support his case that the financial settlement is not favourable to India, I am afraid, he will get a very dusty answer.

Sir, I was on the point about the sterling balances. I am afraid this subject has been very little understood and, in proportion to the lack of understanding, a good deal of suspicion has also been imported into the subject. My friend, Mr. Krishnamachari, who seems to be obsessed with the racial criterion in these matters, wanted me to make some statement which would set his mind at rest that India was being subjected to gross injustice. I think he made a passionate appeal to me to come out in the open and tell him that. I am afraid, I cannot gratify that request because I do not believe that that is the case. And whilst I am on this subject and since Mr. Krishnamachari's mind runs on these racial criteria, I would like him to know that the officer who deals mainly with the question of the allocation of defence charges between India and Britain, the officer who dealt with them in the first instance and the officer principally in charge was an Indian.

Mr. Jamnadas M. Mehta: Under orders

The Honourable Sir Jeremy Raisman: There is no question of orders. I do not suppose that his decision was interfered with in one case out of a hundred.

Now, it seems to me that some of the critics put themselves in a curious dilemma. On the one hand, they appeared to object to the rate at which sterling balances are accumulating and they objected to the sterling balances being left, as they put it, in England, although I do not know where they would expect sterling balances to be kept if not in England. On the other hand, if a proposal is made for the use of these sterling balances in a way which will make it unnecessary for them to be kept in England for the time being, then also they see disadvantages. Take, for instance, the pensions scheme. That, as I pointed out, was a purely financial proposal. It means that sterling which cannot be utilised now should be invested so that it will yield a return in years when we know it can be utilised. To the extent that it does that, it solves the immediate problem and also it helps to solve problems in the future. The position simply is that you have at this moment more sterling than you want and that you may at some time in the future have less sterling than you need and, therefore, you invest your sterling in a way which will bring it back to you at the time you need it in the requisite amounts. That is the ordinary way in which any money is invested and so long as the yield on the investment is reasonable, it is a fair financial proposition. Now, several critics said that it is unnecessary to safeguard sterling pensions in this way. But it is not the case of the Government that it is necessary to safeguard them. The scheme did not arise from any fear of repudiation or from any desire at this moment to provide any additional safeguards for any class of officers. Actually, the proceeds of this investment, namely, the annual sums of sterling, would again be at the disposal of the Government of India and of no other authority, so that the position in that respect remains entirely unchanged. The liability for the pensions would remain with the Government of India and the sterling amounts would come into the hands of the Government of India. The rights of no individual would be affected thereby. And no extraneous considerations come in to the matter; and it is really a purely financial question.

In regard to the other matter of reconstruction, here the critics, I think, put themselves in a dilemma, which I just mentioned about accumulation of sterling balances and yet I find they dislike any suggestion for their being utilised in a way which will convert them into goods. They dislike the idea that these goods may not be forthcoming from a limited source. Now, as I said just now, I cannot foresee the post-war economic situation. It is obvious to every-

[Sir Jeremy Raisman.]

body that there are exceedingly important and difficult international economic questions which will have to be settled, and clearly the relations of different currencies will be one of the main questions which will have to be settled, the relations of sterling and the dollar particularly. If I could know in advance with certainty precisely what this arrangement would be, then I would be able to speak with more precision about the use of such a reconstruction fund. But I do suggest that it is premature to disparage a scheme of that kind which I believe is capable of being of the utmost value for India. It has been said by the critics that this is a scheme not for the reconstruction of India, but, I think, for the reconstruction of British industries. That is an example of importation of suspicion and prejudice into a matter of economic advantage.

Pandit Lakshmi Kanta Maitra Who is responsible for that?

The Honourable Sir Jeremy Raisman: I do not know who is responsible. I merely stated the facts. Because after all it may well both fulfil the requirements of India and yet may help to solve certain of the problems of Britain.

Maulana Zafar Ali Khan: Will you please permit me to say that a definite assurance has been given by the British Government that immediately after the war is over India shall have the right of self-determination. In that case the work of construction or reconstruction will devolve on the newly constituted Government of India.

The Honourable Sir Jeremy Raisman. Well, I shall be very happy that the future Government will themselves take up this problem and we shall certainly do nothing that will make it more difficult for them to take up that problem. But my point at this moment is this. If you look at the sterling balance as in the nature of debt, the fact that a certain type of repayment will be one which will strengthen the position of your debtor as well as yourself is not necessarily a disadvantage.

Mr. Muhammad Nauman: Bargaining capacity of other countries.

The Honourable Sir Jeremy Raisman: I just now said that I could not foresee the exact economic and currency arrangements as they will be after the war. Therefore I cannot make any definite statement in this respect. But to the extent that goods required for India's reconstruction and re-equipment are available in Britain, I see no reason why the fact that they will be obtained from Britain should be regarded as of disadvantage.

Sir Cowasjee Jehangir: May I ask the Honourable Member, how this fund prevents us from getting goods from other parts especially from America. It is only a question of sterling and dollar exchange.

The Honourable Sir Jeremy Raisman: I am not in a position to make any categorical statement, because, as I said, I could not foresee the economic arrangements after the war. It is quite obvious that there will be a difficult situation for sometime after the war. It will be difficult to obtain goods particularly capital goods. It will not be possible merely to register one's order and expect it to be complied with. This may continue possibly for some years. I have hinted at this in my Budget speech.

Pandit Lakshmi Kanta Maitra: Answer the criticism that this fund, if brought into existence, will enable India to buy goods from England alone. How far is that criticism correct?

The Honourable Sir Jeremy Raisman: My answer remains that I cannot foresee the circumstances which will exist after the war. If my Honourable friend can foresee, he knows more than I do, or the Pandits in London and Washington.

An Honourable Member: He is an astrologer.

Sir Cowasjee Jehangir: If conditions are favourable, will India be able to buy goods in America?

The Honourable Sir Jeremy Raisman: I have said I cannot give any categorical answer to that question, because for sometime after the war, at any

LEGISLATIVE ASSEMBLY

Monday, 8th March, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBERS SWORN :

Major General Ernest Wood, C.I.E., M.C., M.L.A. (Government of India: Nominated Official);

Mr. Venilal Tribhovandas Dehejia, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

PRIVATE HOUSES LEASED BY GOVERNMENT IN DELHI.

252. *Sardar Sant Singh: (a) Will the Honourable the Labour Member kindly state the number of private houses leased by Government in the different areas in Delhi, e.g., New Delhi, Notified area, Karol Bagh, Darya Gunj, etc., separately?

(b) When were the first and the last houses leased in each area?

(c) Is it a fact that all houses were leased before the winter season began? If not, how many were leased after the beginning of the winter season?

(d) On what basis is the rent paid by Government to the owners of these buildings, how were the houses classified for purposes of allotment and how were they allotted according to that classification?

(e) In how many cases were persons eligible for a lower type allotted a higher type, and why?

(f) How is the rent charged for these houses from the allottees?

(g) Is it a fact that it cannot be more than 10 *per cent.* of their pay?

(h) When were the first and the last houses occupied in each area, separately, during 1942-43?

(i) Is it a fact that several houses are still vacant?

(j) How much loss have Government incurred by the difference in payments to owners as a whole and the actual rents realized from the tenants?

(k) How much loss have Government incurred by the houses remaining vacant for months?

(l) Were Government not aware of the probable demands?

(m) Is it a fact that in certain cases rents paid to owners were more than the rents realized by them immediately prior to their leasing to Government? If so, why, and who is responsible for this loss and what action do Government propose to take against the officers responsible for this?

(n) What do Government propose to do for the next year?

(o) Will they still require more houses on lease or will they release some out of those already leased?

(p) Are Government prepared to have an Enquiry Committee to look into the leasing of houses in the past to allay any suspicion that Government were put to unnecessary loss due to the negligence of officers and want of proper estimate of needs?

The Honourable Dr. B. R. Ambedkar: (a) and (b). A statement containing the information asked for is laid on the table of the House.

(c) No. Forty six houses were leased after the commencement of the winter season.

(d) Government have paid the "fair rent" as determined under the provisions of the New Delhi Rent Control Order, 1939.

Flats in houses suitable for allotment to officers were classified as those suitable for officers with wives and families, and those suitable for officers with

wives only and were allotted accordingly in accordance with the principle that the houses carrying higher rental were allotted to higher paid officers. Houses suitable for clerks were not classified and were allotted in accordance with the abovementioned principle.

(e) None. The houses were not divided into types but the principle "higher rented accommodation for higher paid officer" was always followed in allotting available houses.

(f) Rent is calculated in accordance with the rules and is recovered from the allottees at ten per cent. of the emoluments or the full rent whichever is less.

(g) Yes; ten per cent. of emoluments and not pay.

(h), (j) and (k). The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war-time. It is impossible that in a large housing estate all houses will be full all the time—some loss is bound to occur from occasional vacancies and from the operation of the ten per cent. rule.

(i) None of the leased houses in New Delhi and Darya Gunj are vacant and only four suites of accommodation suitable for officers and three suites of accommodation suitable for clerks are vacant in Karol Bagh.

(l) Government were fully aware.

(m) The rents paid were those fixed by the Rent Controller. So far as is known, in cases where houses had previously been leased, these did not exceed rents previously paid. The latter parts of the question do not arise.

(n) and (o). Government are not in a position to give a definite answer. It is probable that Government will want more houses.

(p) No. In view of my reply to other parts of this question, this does not seem to be necessary.

STATEMENT.

(a) New Delhi area	.	122 bungalows and flats.	
Notified area	.	8 bungalows.	
Karol Bagh	.	143 flats (including accommodation suitable for clerks).	
Darya Gunj	.	34 flats (suitable for clerks only).	
(b)		First house leased on	last house leased on
New Delhi	.	1-4-41	2-2-43
Notified area	.	1-6-41	31-12-42
Karol Bagh	.	7-7-42	15-1-43
Darya Gunj	.	15-8-42	25-10-42

Mr. Lalchand Navalrai: May I know why some of the houses are lying vacant; are they not required by officers and clerks?

The Honourable Dr. B. R. Ambedkar: There must be some temporary reason of which I am not at present aware.

Mr. Lalchand Navalrai: Is there a demand for more houses for clerks or officers, or not? Or have you got a full complement?

The Honourable Dr. B. R. Ambedkar: I must have notice of that question.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that Government had to provide so many tents for the accommodation of officers and other people?

The Honourable Dr. B. R. Ambedkar: That is quite so.

Dr. Sir Zia Uddin Ahmad: This shows that sufficient number of houses are not available.

The Honourable Dr. B. R. Ambedkar: Yes.

ALLOTMENT OF LAND TO KHALSA YOUNGMEN'S ASSOCIATION, SIMLA/DELHI.

253. *Sardar Sant Singh: With reference to the answer to starred question No. 309, of the 1st April, 1942, regarding the grant of land in New Delhi to institutions, will the Secretary for Education, Health and Lands please state how long it would take to allot a piece of land asked for by the Khalsa Youngmen's Association, Simla/Delhi, in their application submitted to Government in December, 1940, and what is this delay due to?

Mr. J. D. Tyson: The Honourable Member is referred to the reply given to

part (b) of his starred question No. 309 on the 1st April, 1942. The question of policy to be adopted for allotting land in New Delhi to such institutions is still under consideration.

Sardar Sant Singh: May I know if it is a fact that Khalsa Young Men's Association, Delhi was given to understand in reply to my questions put on the 1st of April, 1942, that their case will be considered on the same ground as it was in the case of other communities?

Mr. J. D. Tyson: If there was any correspondence with the Khalsa Young Men's Association it must have been from the Chief Commissioner, not from the Government of India.

Sardar Sant Singh: May I know if the Honourable Member is prepared to send for that correspondence and take action accordingly?

Mr. J. D. Tyson: I can tell the Honourable Member that we shall not decide the Khalsa Young Men's Association case until we have decided the general principles. There are some 26 applications from institutions and obviously we cannot decide one or two until we have settled the general principles.

Sardar Sant Singh: May I know if it is a fact that some communities have been allotted land by the Government of India?

Mr. J. D. Tyson: A good many sites have been allotted in the past but the time has come when with increased pressure on the land available we have to reconsider the principles on which we have been acting.

Sardar Sant Singh: May I ask if Hindus and Muslims have got sites allotted? If so, why not the Sikhs? The requirements of the same community under different institutions may be different, but as regards communities, the Sikh community is being ignored on that point.

Mr. J. D. Tyson: I think one site has been allotted to the Sikhs within recent years and no sites have been allotted to any community recently.

Dr. Sir Zia Uddin Ahmad: May I know if it is not a fact that the Sikh community owns more property in New Delhi than any other community?

Sardar Sant Singh: Excepting Dr. Sir Zia Uddin.

Dr. Sir Zia Uddin Ahmad: I have got none.

PAUCITY OF SIKH ASSISTANT SURGEONS IN DELHI.

254. *Sardar Sant Singh: (a) With reference to the reply to unstarred question No. 46, of the 7th March, 1942, regarding the avenue of promotion for Assistant Surgeons, will the Secretary, for Education, Health and Lands please state the reasons for the reduction in the number of Sikh Assistant Surgeons in Delhi and is he aware that out of the seven Assistant Surgeons and three Civil Surgeons, there is not a single Sikh?

(b) Is he aware that the long established practice to keep a Sikh Doctor in the Willingdon Hospital, New Delhi, has recently been done away with?

(c) Will he please state if he proposes to take steps to see that the old practice is maintained and that a whole-time Sikh Doctor is attached to the Willingdon Hospital? If not, why not?

Mr. J. D. Tyson: (a) There has been no reduction in the number of Sikh Assistant Surgeons in Delhi. The first part of the question therefore does not arise. The statement in the second part of the question is not correct. There is one Sikh Assistant Surgeon.

(b) There has usually been a Sikh doctor on the staff of the Willingdon Hospital in the past, but the appointments there have not been reserved for members of any particular community.

(c) Government cannot undertake to provide at all times separate doctors for each community on the staffs of hospitals.

TOUR OF THE DIRECTOR GENERAL OF ARCHÆOLOGY TO RAMNAGAR DURING LAST WINTER.

255. *Mr. H. A. Sathar H. Essak Sait (on behalf of Sir Syed Raza Ali) (a) Will the Secretary, for Education, Health and Lands be pleased to state how long the present Director General of Archæology has, since the 1st November,

1942, been at Simla, his official headquarters?

(b) For how many months, since the 1st November, 1942, has the Director General been at Ram Nagar and Bareilly District?

(c) Was there any occasion when the official headquarters of the Director General of Archaeology were in Delhi previous to the present cold weather when he spent more than twelve days at Ram Nagar? If so, when?

(d) Is it not a fact that the excavation work at Ram Nagar was in the charge of Mr. Ghose, who is still carrying it on?

(e) Was any complaint in writing received by the Honourable Member to the effect that Mr. Ghose was not doing the work in a satisfactory manner? If so, when, and what orders were passed by him thereon?

(f) Is there any other head of a department doing work unconnected with war who has been allowed to absent himself from Simla during the present cold weather for anything like the length of time for which the present Director General of Archaeology has prolonged his stay at Ram Nagar?

(g) Do heads of departments of the rank of the present Director General of Archaeology submit their tour programmes for the sanction or approval of the Honourable Member? Was such sanction or approval given to the Director General to stay indefinitely at Ram Nagar?

(h) What is the policy of the Government of India with regard to the heads of departments coming down from Simla during the cold weather to undertake work for months in the plains which was or is being done hitherto by other competent officials?

Mr. J. D. Tyson: (a) For twenty three days up to the end of February, 1943.

(b) For one month and 18 days (up to the end of February, 1943).

(c) No. The second part of the question does not arise.

(d) The Director General of Archaeology personally supervises the excavation work at Ramnagar. Mr. Ghosh, Assistant Superintendent, directs the work under the supervision of the Director General.

(e) No. The second part of the question does not arise.

(f) Information regarding the period of absence from Simla of other heads of departments is not readily available.

(g) No. The second part of the question does not arise.

(h) The question does not arise in this case as no officer with the requisite training and experience was available for supervision of the excavation work.

Mr. Lalchand Navalrai: May I know from the Honourable Member, if it is not the duty of the Director of Archaeology to inspect these works from time to time?

Mr. J. D. Tyson: Yes, Sir. We consider it very definitely one of his most important duties.

Mr. Lalchand Navalrai: Is the time allowed to him at his discretion or is there any time fixed to look into any particular excavation?

Mr. J. D. Tyson: It must be a matter within his own discretion.

Dr. Sir Zia Uddin Ahmad: Is it not a fact, as it appears from the question, that he has chosen the winter for touring in order to avoid residing in Simla in winter?

Mr. J. D. Tyson: We regard it a suitable time for inspecting excavations when such work is going on.

Dr. Sir Zia Uddin Ahmad: Does not excavation work go on during summer?

Mr. J. D. Tyson: I do not think so, Sir.

RISE IN COTTON YARN PRICES.

256. ***Mr. T. T. Krishnamachari:** Will the Honourable Member representing the Commerce Department be pleased to state:

(a) whether the Government of India's attention has been drawn to the phenomenal increase in the market prices of cotton yarn manufactured by the mills in India since May 1942;

- (b) whether Government are aware that the rise in yarn prices bear no relation to the rise in the prices of cotton or the rise in the manufacturing costs; and
- (c) whether Government have under consideration any scheme for the control of yarn prices?

Mr. T. S. Pillay: (a) and (b). The answer is in the affirmative.

(c) Certain proposals for the control of yarn prices have been made to the Government of India. They are under examination.

Mr. T. T. Krishnamachari: May I ask if there has been any proposal to appoint a Yarn Controller sometime about January/February 1942, arising out of the two conferences held in Delhi?

Mr. T. S. Pillay: There was a proposal of that character.

Mr. T. T. Krishnamachari: May I ask if the *Indian Information*, a Government publication, published on the 15th May, 1942, said that a Yarn Controller was going to be appointed and that a scheme of licensing yarn dealers was contemplated by Government?

Mr. T. S. Pillay: I think, Sir, as far as I am aware, that the sort of information which the Honourable Member has given to me is correct.

Mr. T. T. Krishnamachari: May I ask that that particular journal gave the information that people who were not regular dealers in yarn and were casually carrying stocks, will not be licensed to deal in yarn and would do well to dispose of the stocks before control comes into operation.

Mr. T. S. Pillay: I do not know, Sir.

Mr. T. T. Krishnamachari: May I ask if the Government will find out whether any people have suffered as a result of the information given in the *Indian Information* on the 15th May, 1942.

Mr. T. S. Pillay: I do not see how the people could have suffered on account of the information published in this particular journal.

Mr. T. T. Krishnamachari: Here is a Government publication. It has warned people who are not regular dealers in yarn to dispose of their stock of yarn on account of the Government control orders which are to be issued. As a result of this many people who were stocking yarn sold out the yarn at prices much below the ruling rate. I want to know whether Government are aware of this fact, because the notice which issued in the *Indian Information* must necessarily be of Government origin.

Mr. T. S. Pillay: I do not know whether Government have authorised any information to be published that is likely to affect harshly the interests referred to.

Dr. Sir Zia Uddin Ahmad: In view of the fact that import of foreign yarn has practically ceased, and also in view of the fact that the cottage industry depends entirely on the yarn produced in this country, will the Government now look after this particular business and control the yarn at moderate prices to the cottage industry?

Mr. T. S. Pillay: We have already appointed a Yarn Controller who is examining all the proposals in this connection.

Dr. Sir Zia Uddin Ahmad: Will you please explain what is meant by "Controller"? Our meaning is that he stops almost all trade. What do you mean by "Controller"?

Mr. T. S. Pillay: The idea of a Controller is to regulate supplies to the most essential needs.

Mr. T. T. Krishnamachari: May I ask whether a Yarn Commissioner was appointed in Madras more than a year back?

Mr. T. S. Pillay: I do not know definitely, but I do believe that an officer has been employed, who is also a yarn controller.

REPORT OF THE HANDLOOM FACT FINDING COMMITTEE.

257. ***Mr. T. T. Krishnamachari:** Will the Honourable Member representing the Commerce Department be pleased to state:

- (a) whether the Handloom Fact Finding Committee has submitted its report to Government; if so, when;
- (b) whether Government propose to publish the report; and
- (c) what action do Government propose to take on the recommendations?

Mr. T. S. Pillay: (a) Yes; the report was submitted to the Government on the 3rd February, 1943.

(b) and (c). These are under the consideration of Government.

MACHINERY FOR PRICE CONTROL IN DELHI.

258. *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member representing the Food Department please state the machinery set up in Delhi for controlling and regulating prices of foodstuffs, etc.?

(b) When was the above machinery set up?

(c) Is the Honourable Member aware of any other agency that was set up, or is proposed to be set up, to check corruption and mal-practices on the part of the control staff?

Major-General E. Wood: (a) and (b). It is not clear what the Honourable Member means by "the machinery set up in Delhi for controlling and regulating the prices of foodstuffs, etc.". Presumably he desires to have information regarding the staff employed on control work. About a year ago, when it was first felt that special measures were necessary to control the supply and distribution of certain commodities in Delhi and their prices, the work was entrusted to the Superintendent of Industries, and he was gradually given a special staff to enable him to deal with it. Later on when it was found that the work was increasing, the services of a special Extra Assistant Commissioner were obtained, and he was put in charge of this subject under the Deputy Commissioner, Delhi from the 2nd February, 1943.

(c) No.

Mr. Lalchand Navalrai: May I know from the Honourable Member if any Advisory Committee or any persons are associated with the Assistant Commissioner for this work?

Major-General E. Wood: I regret I have no information.

Mr. K. C. Neogy: Does the Honourable Member propose to answer part (a) of the question with reference to the "etc."? May I know whether he has any information regarding the position of coal supplies in Delhi?

Major-General E. Wood: I have no direct information. I am afraid I cannot say what "etc." means.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether he will consider the question of associating some committee or some persons, who are competent, with this Assistant Commissioner?

Major-General E. Wood: I will put the suggestion before the proper authority.

Mr. Muhammad Azhar Ali: Does the Honourable Member not know what is considered necessary like foodstuffs, such as coal, etc.?

Major-General E. Wood: If I am to give information on any particular point then definition of that point is necessary.

SUPERINTENDENT OF INDUSTRIES IN DELHI.

259. *Mr. Muhammad Azhar Ali: (a) Will the Honourable Member representing the Commerce Department please state who was the Superintendent of Industries in Delhi in 1942?

(b) Is it a fact that this man was also entrusted with other work in addition to his official duties? If so, what other work, or works, were entrusted to him?

(c) Was he doing any work for the Delhi C. I. D. Police also?

Mr. T. S. Pillay: (a) Sardar Sahib Sardar Mehtab Singh.

(b) The answer to the first part of the question is in the affirmative. The answer to the second part is that, pending the appointment of other officers, he was entrusted with work in connection with supplies, fixation of prices and arrangements for the distribution of supplies of foodstuffs.

(c) No, Sir.

Mr. Muhammad Azhar Ali: Am I to understand that this Superintendent of Industries is also Superintendent of other items, e.g., coal.

Mr. T. S. Pillay: I have already answered that question.

Mr. Muhammad Azhar Ali: I do not follow what my Honourable friend has said.

Mr. T. S. Pillay: I have already answered it. If the Honourable Member wants I will read it again.

(The Honourable Member read over the answer.)

MOTION FOR ADJOURNMENT.

FAILURE TO PROSECUTE THE EUROPEAN PASSENGER RESISTING OCCUPATION OF THE RESERVED SEAT BY DEWAN BAHADUR A. LAKSHIMANASWAMI MUDALIAR.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjourning the business of the House, for the purpose of discussing a definite matter of urgent public importance, namely, the failure of the Railway authorities to prosecute the European passenger resisting all attempts of Dr. Dewan Bahadur A. Lakshimanaswami Mudaliyar, Vice-Chancellor of the Madras University, and the Station Superintendent and the Inspector of Railway Police to enable him to occupy the seat reserved for him in a first class compartment and thus detaining the train for nearly half an hour to the great inconvenience caused to the public and Dewan Bahadur Mudaliyar himself.

It seems to me that adjournment motions of this character are getting rather frequent. It is very unfortunate that such incidents should occur, but I should hardly think that every incident like that can be brought up here in order to adjourn the business of the Assembly. Anyhow, does the Honourable Member in charge wish to say anything?

The Honourable Sir Edward Benthall (Member for Railways and War Transport): I have no information at all about this alleged incident, except the report in one newspaper this morning. There is no certainty that it is any more correct than the recent incident in connection with Mr. Aney which was raised by the same Honourable Member the other day. There is no information that suitable action is not being taken by the proper department against the gentleman referred to if the report is true; and in any case . . .

Mr. President (The Honourable Sir Abdur Rahim): When did this incident take place?

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): It is reported in today's paper.

Mr. President (The Honourable Sir Abdur Rahim): I want to know when the incident took place.

Mr. Govind V. Deshmukh: Very recently. The date is given as the 4th of March in the paper; but with reference to the answer given by the Honourable Member about Mr. Aney.

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Mr. Govind V. Deshmukh: To a great extent the information regarding Mr. Aney's incident is true as far as I could gather from the information recently received . . .

Mr. President: (The Honourable Sir Abdur Rahim): Order, order. I rule that the motion is out of order: it is neither urgent nor of sufficient public importance to justify the adjournment of the business of the House.

AMENDMENT OF THE COORG MOTOR VEHICLES RULES.

Sir Gurunath Bewoor (Secretary, Posts and Air Department): Sir, I lay on the table a copy of Notification No. B-1-2858 (9)/42, dated the 9th January, 1943, issued by the Chief Commissioner of Coorg, amending the Coorg Motor Vehicles Rules, 1940.

The Chief Commissioner of Coorg Notification No. B-1-2858(9)/42, dated Mercara, the 9th January, 1943.

In exercise of the powers conferred by section 68 of the Motor Vehicles Act, 1939 (IV of 1939), the Chief Commissioner is pleased to make the following amendment in the Coorg Motor Vehicles Rules, 1940, issued with his notification No. R. F. 43/121-39, dated the 26th March, 1940, the same having been previously published as required by sub-section (1) of section 133 of the said Act :

Amendment.

For clause (h) of rule 43 of the said rules the following shall be substituted :

“(h) A non-official member of the Provincial Transport Authority shall receive travelling allowance at the rates admissible, and subject to the conditions applicable, to a Government servant of the fifth grade under Annexure I to the Coorg Travelling Allowance Rules, and any such member performing any journey, other than to attend a meeting of the Authority, in connection with the business of the Authority shall with the sanction of the Chairman be entitled to receive travelling allowance likewise.”

J. W. PRITCHARD,
Chief Commissioner.

THE GENERAL BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Mr. President (The Honourable Sir Abdur Rahim): The House will now deal with the Demands for Grants. Before doing so, I have to announce that the Parties have come to an agreement as regards the order in which these cut motions will be dealt with, except, I understand that the unattached Members do not agree to the order in which the cut motions which stands in their names are to be taken up. Is that so? I should like to hear from the Honourable Members. (To Mr. T. T. Krishnamachari). You do not agree, is it?

Mr. T. T. Krishnamachari (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): I do not, Sir.

Mr. President (The Honourable Sir Abdur Rahim): In that case, the motions in their names will be taken up in the order in which they appear on the list. The arrangement is this: The Nationalists will move their cut motions today up to 3-15 P.M. the remainder of the sitting being taken up by motions standing in the name of Unattached Members; and those motions will be taken up in the order in which they appear on the list.

On Tuesday, the 9th March, the Independent Party will move their cut motions up to 3-15 P.M. After that the Muslim League Party will have the remainder of the meeting as well as the time on Wednesday, the 10th March, up to 1-15 P.M. to move their cut motions.

As regards the European Group, the arrangement originally was that after the Lunch interval, that is from 2-30 to 5 P.M. on Wednesday the 10th March, they will move their cut motions; but I understand on a representation being made by Mr. Joshi, who is now ill, they are ready to give up half an hour of their time for Mr. Joshi's motions; that is to say, from 2-30 to 3 P.M. Therefore the European Group will move their cut motions from 3 to 5 P.M.

As regards the time for speeches, I suggest that, as usual, fifteen minutes be given for speeches other than those of the Mover and the Government Members; the Mover will have twenty minutes and the Government Member twenty minutes or even more, if necessary. I take it this will suit Honourable Members.

Sir Henry Richardson (Nominated Non-Official): May I say that in the event of Mr. Joshi not being well enough to come on Wednesday, we hope that the European Group will be able to have its original time from 2-30 P.M.?

Mr. President (The Honourable Sir Abdur Rahim): But they will be prepared to give up half an hour if he comes?

Sir Henry Richardson: Yes; we are willing to do that; but if he does not come, owing to illness, then we would be obliged if we can have the time from 2-30 P.M.

Mr. President (The Honourable Sir Abdur Rahim): That being the arrangement, I call upon the Nationalist Party to move their first cut motion—No. 87. The demand will be moved first.

DEMAND NO. 12—EXECUTIVE COUNCIL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That a sum not exceeding Rs. 2,36,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Executive Council'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 2,36,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Executive Council'."

Sardar Sant Singh (West Punjab: Sikh): Sir, may I submit that the Nationalist Party is moving the cut on Demand No. 15—the first motion is about the Repressive Policy. It is cut motion No. 2 on Supplementary List, No. 1, standing in my name. We gave notice to the Secretary this morning. Notice of the cut motion was given on the 6th March.

Mr. President (The Honourable Sir Abdur Rahim): How is it that No. 37 appears on my list? Repressive Policy, is it?

Sardar Sant Singh: It is on Supplementary List 1. The only difference is that it is to be moved by me. That is the only difference.

Mr. President (The Honourable Sir Abdur Rahim): Very well. Has your Party agreed that it should be moved instead of No. 37 on the main list?

Sardar Sant Singh: My Party has agreed.

Mr. President (The Honourable Sir Abdur Rahim): Very well: then demand No. 15, must be moved.

DEMAND NO. 15—HOME DEPARTMENT.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a sum not exceeding Rs. 6,20,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Home Department'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 6,20,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Home Department'."

Repressive Policy of the Government.

Sardar Sant Singh: Sir, I beg to move:

"That the demand under the head 'Home Department', be reduced by Rs. 100."

My object in moving this motion is to discuss the repressive policy of the Government. The Government of India has hideously cruel record in suppressing what it calls a rebellion in the country. That is the reason which has induced my Party to come back to the subject which we recently discussed in this Session. I have carefully read the speech of the Honourable the Home Member once again and I find that the speech is full of misrepresentation, untruths and what not.

The Honourable Sir Reginald Maxwell (Home Member): On a point of order, Sir. Is the Honourable Member in order in attributing untruths to me in this House?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not in order. He must withdraw that expression.

Sardar Sant Singh: I will just withdraw that expression and call it inexactitude.

Mr. President (The Honourable Sir Abdur Rahim): That is not a proper way of withdrawing. He must withdraw it unconditionally.

Sardar Sant Singh: Very well, Sir. I withdraw it. The speech is so full of incorrect statements of facts that one has to come back to the question again in this House. In making his reply on the 12th February, 1943, the Honourable the Home Member denied that there was any policy of the Government which might be called a policy of frightfulness in the country. At the same time, at the end of his speech he stated:

"Effective measures cannot be taken against this kind of hooliganism if the immediate reaction of the House is to demand committees of enquiry. The idea that the police and public servants are the enemies of popular institutions and should be regarded with hostility by the House is entirely wrong."

[Sardar Sant Singh.]

I think the Honourable Member has been in India for a sufficiently long period to understand that the general public in the country places very little confidence in the police and much less in the executive and the bureaucracy. Unsympathetic, unacquainted with human principles, unaware of civilised methods, it is just as well that we tell him once more that this House, any House elected on a popular basis, will never put any confidence in a foreign bureaucracy. Let him understand that. And when we know that many an innocent person has been killed, women raped, and towns destroyed which happened to be in proximity of the railway lines which had been removed, he cannot claim that he belongs to that Government which can by any stretch of imagination be called a civilised Government. It is a barbarous Government. I asked him when he was talking on that day, whether he could say what was the difference between the Nazi method of suppressing things and British method of suppressing things in India. He declined to enter into a controversy with me. But he went on to tell us that the methods adopted were no more than were called for at the time. It is all very well to say that the methods adopted were no more, because it is India, because the lives involved were those of Indians. I ask him a straight question if he is prepared to answer in a straight manner. Will he have done the same thing in England? Will the Americans have done the same thing in America? The answer would be definitely No.

The Honourable Sir Reginald Maxwell: Because there are no Congress men there.

Sardar Sant Singh: I see. The Congressmen seem to haunt him, probably in his sleep too. The Congressmen will go on haunting him so long as he rules the country in the method in which he is doing it; they will haunt him even in his after life. Don't you think that you will be haunted only in India. Don't be carried away by this that your repressive policy will succeed in this country? The nemesis is working, it is preparing for you what you deserve and it is bound to follow if there is any divine law which rules over all. In this method of repression, they have gone to such an extent as to, as I said before, wipe out villages entirely, they took the male population outside the villages, females were separated, plundered and looted, and in some cases, women raped. The plunder was brought to the commander of the force, the military or police collected there and the commander distributed the booty amongst his own men. These are allegations which have not been made from one district but from various provinces and from various districts in this country. When he was asked to investigate, he says copies of the debates have been sent to the provinces for investigation. Investigation by whom? Investigation by those who are guilty themselves, who themselves committed these acts, and who are themselves liable to be punished in a court of law if there is a court of justice at all in this country left now. We are being ruled under a military law today. Everywhere we see the Defence of India Act and the rules governing, grinding the liberties of the people mercilessly without any regard to humanity or human principles. We cannot be content in this House to sit by and look on simply because the Honourable Sir Reginald Maxwell says that it is simply in the maintenance of law and order. If you have succeeded—I am afraid you have not succeeded, it is the 7th month after the 8th August when you started this campaign of ruthlessness in this country, papers are still full of recrudescence of violence here, incendiarism there, shootings somewhere. These things are still going on and you cannot say you have succeeded in suppressing the spirit of young India. You have not. Therefore, it is time that you gave up these methods of barbarism and uncivilised Government. The Indian political deadlock still continues. Three Honourable Members of the Executive Council have resigned in protest against your methods. World opinion is going against you. You may try to fill the columns of the newspaper with pro-British feelings in America but there is the other side of the picture which you

refuse to allow to be published in this country but it will filter through. I know it will filter through and we know that civilised opinion is against you. Sir, the other day we gave him specific instances and asked him to investigate them. He said "Yes, they were investigated and some of them were found not to have occurred at all". There is one passage in his speech. Mr. Joshi gave him the instance of the Manager of the Gandhi Ashram in Meerut, who was shot and asked him whether it is a fact that he was shot. He said in reply that no such complaint has come to the notice of the Provincial Government. May I ask: is this what you call the Government which does not know its primary duty of knowing that such investigation does not mean that the investigation should start with a complaint to the Government? The complaint was made here. A definite name and position and place was given. It was definitely mentioned that a certain person was shot. They say, "No complaint has been made to us and therefore we refuse to investigate". Is this the method of a civilised government? Has the Government any reputation in the matter? I ask: did they go and inquire in the Gandhi Ashram whether there was any Manager there, who was that manager and where is he today? Then they would have come to know the facts. Government says that no complaint has been received by us and therefore they will not investigate. We know that no power on earth can make you investigate, if you refuse to investigate. We know that. Today your bayonets and swords are stronger than those of India. But why do you try to defend yourself? You say that your policy is not one of frightfulness. Your very speech is a policy of frightfulness in the country. The very speech of the Honourable the Home Member is an indication, if an indication is necessary, rather it is a positive proof, that the Government of India is determined to follow a policy of frightfulness in this country. I assure you, Sir, and through you the Government that so long as this House remains and so long as we have got a limited freedom of speech on the floor of this House we will not mince matters. We will tell the world, if your censor prevents us from reaching the outside world, that the Government is following a policy of barbarism, a policy of frightfulness in this country and that the people's liberties are being suppressed ruthlessly. That is our charge against you. It is no good multiplying instances. We will only say that we will not willingly grant supplies to you in this country if we can help it. You can carry on with the help of your nominated Members, the official Members and the pro-British Members. We don't mind that but the elected Members will not be a party to grant you a single penny till you change your methods and adopt civilised methods of Government. Only then will we co-operate with you. Be barbarous and we refuse to co-operate with you. With these words, I move my cut motion.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Home Department' be reduced by Rs. 100."

Mr. Lalchand Navalrai (Sind: Non-Muhammadian Rural): One feels aggrieved at the way in which internal disturbances are going on in the country and also the repressive policy of the Government that is being enforced. I do not want to use any harsh words or to blame the Government more than is necessary but it cannot possibly be denied that both the repressive policy and the disturbances are disturbing the country too much. It is something like a tug of war that is going on between those who are bent on creating disturbance and the Government who are not adopting more reasonable and suitable measures but are depending upon brutal force for putting down the internal commotion that is going on. This is not the proper remedy for this evil. We have discussed this question many a time in this House and several suggestions have been made but they are not being adopted. The Government point of view is that the Congress and Mahatma Gandhi are responsible for these disturbances. On the other hand, the Congress denies that they have any hand in this and Mahatma Gandhi has declared that he is not responsible for what is going on outside, when he is inside the jail. And Mahatma Gandhi went

[Mr. Lalchand Navalrai.]

on a fast as a penance for the internal disturbances that are going on but nobody is touching the real remedy. The Government is bent upon this, that the movement in the country must come to a stop first and then negotiations will go on with the responsible leaders in order to come to a conclusion. But when the Congress or Mahatma Gandhi is not taking that responsibility upon themselves, one can easily see that that is not the proper way of meeting the situation. First to blame one and then to tell him that unless you do a certain thing we will not help you is a wrong method. Now, Sir, as I said before, the Government wants this revolt, as it is called by the Government, should be called off first. Regarding this a statement has appeared in the *Hindustan Times* which has come from the United States of America in which it is said that the United States of America is willing to act as an intermediary. The actual words are:

"The New York World Telegram's columnist, Mr. William Philip Simms, said that there is hope in Washington that Mahatma Gandhi, would come to arrangements with the British for the duration. However, this does not mean that Washington intends to interfere. If invited by both parties (*and this is important*), the United States would gladly serve as intermediary. But much as many here sympathise with India's desire for independence,"

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot quote at such length. The Honourable Member is not allowed to quote from newspapers.

Mr. Lalchand Navalrai: Sir, this may be taken as my own statement.

It is said that it is safe to say that the great majority disagree with the way Mahatma Gandhi and his followers have gone about it—at least since last August's ultimatum. Further that, according to reports current in Washington, the Viceroy is willing to release Mahatma Gandhi and his lieutenants if they call off the 'revolt'. My point was that when the United States' statement is to the above effect, I would like to know from the Honourable the Home Member what his own view is in the matter. How will he come to terms with the persons who, he thinks, are responsible for the present state of things? Will he see who is suffering from the present disturbances? It is the public who are suffering because so many murders have been committed and so many cases of sabotage have happened and on the side of the Government the repressive measures which are at their height are also doing greatest harm. Is it humane that if a procession is brought out by girls, they should be sent to jail? Is not that too much of the repressive policy? I find that three months rigorous imprisonment was given to 14 girls in Poona. It is stated that Mr. M. R. Masani and 20 others including 14 girls who were arrested on February 17th for taking out a procession in the city, were convicted and sentenced by the Additional City Magistrate of Poona today to three months' rigorous imprisonment each. This is only one instance. There are several other ways in which repressive measures are now at their height. It should be remembered that by repression no Government has succeeded to put down any revolt or to put down any disturbances merely by repressive measures. The spirit of negotiations and conciliation should be at work between those who are supposed to be on either side.

I have said in this House before that the martial law that has been introduced in Sind is too repressive to do havoc to the civil population. The civil population is being brutally flogged although they have no connection with the Hurs. The original object of the martial law was that the Hurs should be put down. They were really doing harm and so the martial law was introduced. But none in this House, not even the Local Government, was consulted that even other offences should also be treated under this martial law jurisdiction. That is too much. Martial law has also been enforced in other places when riots and other disturbances occur and are not being quelled by the ordinary law, but in Sind the martial law was actually introduced to keep down the Hur movement and subsequently it was applied to the civil population also.

The result is that people of my province have become very much dissatisfied with the Government because this martial law is doing them great harm.

Sir, at the present moment two things are going on. There is disturbance going on and there is also repression going on. How long will this go on? Is it advisable during the days of the war that this repressive policy should go on? Therefore, some method should be found out to put an end to it. During the last Session I suggested that the best course to adopt was to allow the members of the Congress Working Committee to meet Mahatma Gandhi in jail. There they would come to certain conclusions as Mahatma Gandhi had himself hinted that he may revise his own views. But nothing was done. Even now if the Government will allow the leaders to meet Mahatma Gandhi or release Mahatma Gandhi and the members of the Congress Working Committee, then they will be able to talk amongst themselves and come to some settlement. If there is no such settlement, Government would be doing harm to the people more and more and they cannot be called a good Government. Therefore, it is high time that some remedy should be found out to end the present tension.

Dr. P. N. Banerjee (Calcutta suburbs: Non-Muhammadan Urban): Sir, I will not discuss the general question of repressive policy because some of my friends have already discussed it. I will refer only to two cases in which Members of this Assembly were very badly treated. The first case is that of Mr. Kailash Behari Lal, a Member of this Assembly. This gentleman was some years ago a member of the Congress organisation but about 15 months ago, he left the Congress and joined my Party,—the Nationalist Party. He co-operated with the Government and was appointed a Jail Visitor in the province of Bihar. Evidently, he was on very friendly terms with the local authorities; but just three or four days before the last September Session of this Assembly, he went to one of the high officers asking for a permit to travel by the military train. The train service had been dislocated and there were no regular trains running on the E. I. R. or any of the other railways connecting Bhagalpur with Delhi. So, he went for a permit to travel by a military train and he said that as his son and wife were ailing at Muzaffarpur he would like to stay at Muzaffarpur for a day and then go to Delhi to attend the September Session of the Assembly. Now, the Government thought that the object of this gentleman in coming to the Assembly was to relate the happenings in

12 Noon. Bihar between the 9th August and the first week of September. It was under this misapprehension that he was detained. Not only did he not get a permit to travel by a military train, but he received instead an order of arrest and detention. I brought this matter to the notice of the Honourable the Home Member, and he perhaps had communication with the Government of Bihar. He informed me after a time that the Provincial Government considered his release to be undesirable. There was no charge against him: he was not a member of the Congress organisation. As a matter of fact, the Congress had taken disciplinary action against him disentitling him from becoming member for a number of years. Now, what was the offence? It was thought that Mr. Kailash Behari Lal would come to attend the September Session of the Assembly and relate his experiences in Bihar. The Government apprehended that excesses that had been committed in Bihar perhaps would be brought to the notice of this Assembly, and that was the reason for keeping him in detention. I feel that was the only thing against him. He wanted to attend the Assembly Session that steps were taken against his coming; he was arrested and put in detention.

I place before you an even more pathetic case, namely, that of Mr. Bhalchand Johuri. This gentleman was a congressman and when the decision of the Working Committee of the Congress was taken on the 7th or 8th August last, he was taken in custody and detained in the Benares Jail. He was suffering with a heart disease. All that he wanted was that he might consult an Ayurvedic physician, as such a physician might give proper remedy for his

[Dr. P. N. Banerjee.]

disease. But nothing was done. His health became poorer and poorer and ultimately he was brought to the Lucknow Jail. There his condition became much worse and then after repeated representations he was sent to one of the Lucknow hospitals. His relatives and friends wanted to take him out in order that proper treatment might be given. But his relatives and friends were told that he was keeping good health. This information was given even a week before his death. Only four days before his death,—when he was becoming unconscious,—he was allowed to be taken out of the hospital by his relatives and soon after that he died. These are the two cases in which Members of this Assembly have been very badly treated by the Government. I could quote many other instances of ill-treatment, but I hope the Assembly will make its protest against the policy which has been adopted by the Government of India in regard to repression.

Sir, if this policy goes on, will the Government have any friends left in this country? That is the simple question I ask. The cases I mentioned are such as could easily have been settled without any detriment to the prestige or honour of either the British Government or the Government of India. But nothing was done, with the result that one gentleman had been prevented from attending the Session of the Assembly for no fault of his own and the other gentleman died practically in detention.

Sir, I support the motion moved by my Honourable friend Sardar Sant Singh.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, I had no intention of taking up any portion of the time allotted to my Honourable friends of the Nationalist Party for discussion of their cut motions, but the remarks which fell from my Honourable friend, Mr. Lalchand Navalrai, have led me to offer just a few remarks and I will not be long on this matter. Mr. Lalchand Navalrai referred to martial law in Sind. If I am not mistaken and remember the facts correctly, the beginning of the reign of this martial law was the action which Government took against the Hurs. Certain questions were also put in this House about the Hurs by Mr. Lalchand Navalrai himself. Anyhow, Government's action in the beginning was against the Hurs alone. It was a very unedifying spectacle to see our Hindu friends in Sind and outside exulting over what was being done to exterminate and wipe out the Hurs. The point of view which appealed to our Hindu friends at the time was that all this was being done against a section of the population in Sind who were Mussalmans and that if anybody had any interest in objecting to what was being done by the Government it was the Mussalmans. In fact leading articles were written in the Hindu press in Sind expressing a good deal of jubilation over what was being done against the Hurs.

Mr. Lalchand Navalrai: Question.

Syed Ghulam Bhik Nairang: Later on developments occurred which led to the proclamation of martial law in Sind and the present administration of martial law has given cause for complaint both to the Hindus and the Muslims. My Honourable friend, Sardar Sant Singh, talked of nemesis in the course of this very debate. I do not know what he means by nemesis and what form the operation of nemesis may take in the larger matter of what he calls the repressive policy of Government. But in this smaller matter of proclamation of martial law and the actual administration of martial law in Sind, nemesis has certainly overtaken the Hindu population of Sind. They were very glad that Muslims were being persecuted and practically exterminated, and now when the thing has developed into such proportions that it is affecting them also, they cry over it. This is nemesis indeed. These are the only remarks I want to offer.

Mr. Lalchand Navalrai: I think it was more the Muslims than the Hindus who wanted martial law.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan (Hindu)): Sir, I rise to support this motion, but for different reasons, not for the reasons, some of which have been given by the Honourable the Mover of the cut motion. In war time, certain restrictions on the activities of the public are inevitable. These must be voluntarily and willingly suffered. If that is called repression, I do not agree with that description. It is the duty of every honest citizen during war to reconcile himself to certain restrictions which are inevitable. Therefore, in my opinion, anything that has been done to prevent gossip mongering, or spreading false rumours or to make the public mind uncertain or unstable, that cannot be called repression in war time. Every country at war willingly and voluntarily undergoes it.

The second thing which has been described as repression is I suppose those who are undergoing imprisonment or trials for sabotage movement. I cannot conceive that when the security of this country was threatened by the Japanese any patriotic Indian can for a moment do anything which will make the path of the aggressor easier. All action taken against such misguided youths or others must be considered legitimate so long as it is for the purpose of suppressing sabotage activity.

The third thing is that certain kinds of speeches or journalistic publications are not allowed during war time and the last complaint is that political deadlock is not being ended. I assure my Honourable friends who are anxious to end the political deadlock that that political deadlock is not going to end. It is the creation of the British Government and we are all playing into the hands of the British Government. Therefore, it will never end. It will be ended only by the workers and the peasants and not by the middle classes. The middle classes will never be able to end this deadlock and therefore all these political demonstrations against the deadlock are mere idle waste of time. These middle classes and the bourgeoisie are as much Fascists as the Government are. Therefore I am not hoping for a settlement of the political deadlock from the middle class people. It will be the masses of this country who feel the pinch of Fascist domination both at home and abroad and whose economic conditions today are worse than those of any serfs who will end, in due course, the political deadlock. It is as I said purely and primarily a creation of the foreign Government. They have done it far too cleverly and the middle class political parties are playing into their hands continuously by all that they do in the name of political reforms. Therefore, Sir, this political deadlock cannot be made the excuse for anti-war activity.

I think my Honourable friend, Sardar Sant Singh, was rather much too optimistic about the difference between the Nazis and the British Government. I have no love for British imperialism. I hate it from the bottom of my heart and I will exterminate it tomorrow if I can. But when he talks of Nazi methods and the British methods in the same breath, I think he had better go to Poland. He will find there that the conditions there are not so congenial to him as he finds it here in India.

Sardar Sant Singh: What is the difference?

Mr. Jamnadas M. Mehta: If he were in Poland, his head will be chopped off without a moment's notice.

Sardar Sant Singh: May I interrupt my Honourable friend? Is it not the same principle underlying the action of the British here in wiping out whole villages for alleged sabotage? Is there any difference between the two?

Mr. Jamnadas M. Mehta: My Honourable friend is speaking here with that freedom which enables him to call this a barbarous Government. They are barbarous to some extent. I do not deny that. But the fact that he is able to call them barbarous, while in Poland his head chopped off, that makes all the difference. I have no doubt in my mind.

Dr. P. N. Banerjee: There is only a difference in degree.

Mr. Jamnadas M. Mehta: It is pure rubbish to talk of Nazi methods and British methods in the same breath.

Sardar Sant Singh: Oh! I see.

Mr. Jamnadas M. Mehta: I do say that the liberty of speech and writing which we enjoy today

Sardar Sant Singh: Only in this House

Mr. Jamnadas M. Mehta: Even outside.

Sardar Sant Singh: Question.

Mr. Jamnadas M. Mehta: He can question. He cannot deny that he can talk whatever rubbish he wants outside or more rubbish outside than here. Don't tell me all this. The Britishers have given us such a long rope to hang ourselves and that liberty you cannot have in Nazi Germany or Poland or even in Russia. But I do say that there is one sense in which the repressive policy is really condemnable. That is why I support this motion. In the name of suppressing sabotage, they have gone for innocent people who have done no wrong, and in spite of the promise of my Honourable friend, Sir Sultan Ahmed, that the military and the police are very jealous of their honour, their honour is challenged on the floor of the House and the Government are not undertaking to vindicate it. I say that the blood of the innocent boys and girls who were shot in Nandurbar will be on the head of the Government if they do not enquire. There was no procession of a thousand people as my Honourable friend, Sir Reginald Maxwell said the other day, there was only a procession of boys and girls returning from their schools. I say this. Why does he depend upon police officials, who shot these children, than upon me. Why does he not depend upon me more because I have gone there and looked into the things myself? I saw the two girls who were shot, but who happily are still alive, and heard the wailings of the parents who have lost their young boys. Therefore Sir, the Government cannot escape the censure that in suppressing sabotage, in which I am entirely at one with them, they have let loose forces either of private revenge or frightfulness which they are afraid of examining today. I say again that before the bar of public opinion they cannot defend their policy in not going into those complaints. Five of my supporters in Thana District were arrested because of Brahman-Non-Brahman feelings. A drunken non-Brahman sub-inspector of police arrested these people because they were Brahmans, and the fact of their innocence can be vouchsafed from the fact that the Government of Bombay had to release them unconditionally. But nothing is done to that drunken police sub-inspector, who had out of mere communal spite arrested five of the most honourable people in that district. I ask whether the Government will go or will not go into the Nandurbar incidents where mostly children were affected. The very fact that the men were shot not in procession but at scattered places in lanes and by-lanes is proof positive that the police ran amuck in Nandurbar on 9th September and the blood of the innocent children is and will remain on the head of the Government unless they implement their promise that whenever a case is submitted to them, they will examine it. My Honourable friend, Sir Reginald Maxwell, has refused to examine it because he places implicit faith in the report of the police and he would not give even *prima facie* hearing to the report which I can make to him, and which I made on the floor of the House after first hand examination of the case.

Therefore, I entirely disapprove to this extent, the repressive policy of the Government. I entirely endorse the remarks made by Dr. Banerjea about an Honourable Member of this House, Dr. Kailash Behari Lal who has been kept away from his legislative duties and from discharging his obligations to his electorate. What is the justification? In this matter, Sir, the position is most amazing. When you ask my Honourable friend, Sir Reginald Maxwell, that somebody is wrongly detained in the Punjab or in Bihar, he rightly says: "Mr. Jamnadas, I will enquire, but it will be better if you directly write to the

Provincial Authorities." It sounds reasonable. So I wrote to the Provincial authorities, and the Provincial authorities have disdained to acknowledge my letter for so long. Such is their sense of responsibility. One Mr. Shroff, a lawyer, who belongs to the Indian Federation of Labour and therefore cent per cent, in support of the war, he is being detained in the Punjab, and even enquiries made from the Government of the Punjab remained unacknowledged. Sir, that there is a lot of repressive policy in the name of law and order cannot be denied. I am prepared to give a *prima facie* evidence about the shooting of boys and girls which is a disgrace to any civilized Government; if they do not enquire even after these allegations are categorically made, supported by statements of the most responsible people Government will never escape responsibility for this Nandurbar happening unless they enquire into this case, and to that extent the repressive policy of the Government must be condemned from the floor of the House.

Mr. Ananga Mohan Dam (Surma Valley *cum* Shillong: Non-Muhammadian): Sir, we have time and again impressed upon the Government the necessity of creating an atmosphere of goodwill in this country. We have placed before them the popular view-point, but the Government have gone their own way without doing anything. Instances have been cited by my Honourable friends in this House time and again regarding the repressive policy of the Government, but the happenings have not been enquired into and due relief has not been afforded. It is a matter of great regret that whenever any instance is given and any description of repression is offered to the Government, they say that they cannot find any specific instances. Whose duty is it to give specific instances? It is the duty of the Government to enquire and find out the specific instances where the police and military have done the wrong. If the Government sees everything with their eyes open, they will be overwhelmed with the details of repression which the police and military have committed on the innocent people of this country. I say, therefore, Sir, that the time has come when Government should enquire into these incidents and usher in a new era of peace and goodwill. An important chapter of the Congress politics has been closed with the last fast of Mahatma Gandhi. Now it befits the Government to usher in a new era of peace and goodwill. All the Congress leaders are in jail; there is not a single man who can lead the movement on behalf of the Congress, and if the Government would release all the political prisoners of the rank and file who are behind the prison bars, I do not think any mischief will be done to the country or any mischief will be done to the Government. Rather the Government will gain and those young men—the flower of the nation—who are now rotting in jail, will help us out of the difficult situation. When good sense will prevail, these young men will be of the greatest strength to the Government. I, therefore, earnestly ask the Government to release those young men who are rotting in jail without, in many cases, any fault of their own. They are young men of impressionable age and they have been led by the sentiments of the popular will and popular agitation. So if they are let loose, I think, they will find an opportunity to come round to the activities of citizenship and will come round to such activities that will do good to the country and the Government. It is really a good opportunity for the Government to see that these things are done. We are reading statements from Washington, statements of President Roosevelt wishing good to this country, we are reading of the Atlantic Charter giving us freedom and giving freedom to all the dominated peoples. Now is the time for the British Government and the Government of India to turn a new page in the history of their administration, and if they do so, I think, the whole Government will be broad-based on the goodwill of the people, and the Government will be free from all the calumny of faults and shortcomings of which Members of this House are accusing the Government. With these few words, I support the motion of Sardar Sant Singh.

The Honourable Sir Reginald Maxwell: Sir, before turning to the main subject under discussion, there are one or two points which have been raised in the debate which I might usefully cover now.

There has been some allusion to the subject of Martial Law in Sind. Now, had this motion been moved under the Demand originally proposed for it, i.e., Demand No. 12, discussion on that

Syed Ghulam Bhik Nairang: A motion under that demand is going to be moved.

The Honourable Sir Reginald Maxwell: might conceivably have been relevant, but to a motion for a cut against the grant for Home Department the subject of Martial Law in Sind is not relevant, because the Home Department have nothing whatever to do with Martial Law in Sind.

My Honourable friend, Dr. Banerjee, has given one or two instances of individual cases in which he alleged that the action taken was wrong. It is impossible within the space available for reply to a cut motion to go into individual cases, but I would remind the House of the fact that most of the action taken in regard to the recent disturbances has been taken and must necessarily have been taken by the Provincial Governments under their own authority and, therefore, the details of such action, as apart from the policy, are not a matter with which the Home Department of this Government can fairly be charged. That, to some extent, is an answer to the observations made by Mr. Jamnadas Mehta about the Nandurbar case. I did refer to that case in the last debate on this subject at this Session, and I showed that the information at the disposal of this Government was very considerably different from that relied on by the Honourable Member, Mr. Jamnadas Mehta. But I never said even on that occasion that no innocent person ever suffered in the course of action taken to put down disturbances of the kind which took place. I said, and I admitted with regret, that innocent persons do very often suffer and that is one of the responsibilities that lies on the heads of the persons who promote these disorders that they must and do cause so much suffering to innocent people.

I also gave the House many other instances in which the action taken by persons engaged in these disturbances has caused loss of life or injury to innocent women and children and other members of the public engaged in their lawful occupations. I admit that innocent persons must occasionally suffer even from otherwise legitimate action taken by Govt. authorities in putting down disturbances. There again Government cannot be censured for such incidents on a cut motion of this kind unless it is also shown that those things were part of the policy of Government. This motion, if the House will refer to the wording of it, is to discuss the repressive policy of Government, and the mere fact that certain individuals have suffered from the action taken by the Government forces does not mean, and cannot possibly be interpreted to mean, that such things are part and parcel of the policy followed by Government.

Mr. Jamnadas M. Mehta: If you screen the offenders it must mean that.

Dr. P. N. Banerjee: Yes, you are right.

The Honourable Sir Reginald Maxwell: Certainly not. We are now talking of the policy of Government, and the policy of Government has been made clear on many occasions. I shall refer to these occasions later. I fully admit that innocent persons do suffer from the action taken by Government forces just as they suffer from action taken by persons promoting disorders, and I say that the responsibility for that lies on the persons who are the aggressors and who have created these situations. That is my reply.

Now, Sir, to come back to the main subject of the motion. It is now almost exactly a year since this hardy annual cut motion blossomed on the floor of this House. On the last occasion on the 6th March 1942, the Mover was the Honourable Mr. Kazmi and in replying on that occasion I did my best to persuade the House to make a right use of the word "repression". I even quoted its dictionary meaning and I showed the House that there is no opprobrium attaching to the word "repression" as such. There can be right repression and wrong

repression, but whether it is right or wrong depends, or should depend, entirely on the things repressed. On the other hand, the word is used in this House or very frequently used, only to indicate the sympathies of the person condemning the repression. In fact, the attitude taken up towards the word "repression" is very like that taken up by Mr. Gandhi in regard to non-violence. In one of his writings quoted in the recently published booklet on Congress Responsibility it will be found that he says: "Supposing a mouse fighting a cat tried to resist the cat with his sharp teeth, would you call that mouse violent?" The answer is no. Well in many cases of the kind with which we are dealing, what has been happening is that a small force of perhaps half a dozen or 10 policemen find themselves confronted by an armed and violent mob of say 10,000 persons. Now, in such a situation I should like to know which of these is comparable to the cat and which to the mouse. (Interruption by *Sardar Sant Singh*.) If we assume that the small force of Government police resisting this mob is in the position of the mouse, then they are the non-violent party according to Mr. Gandhi, and if they are accused of repression, we get the anomalous position that the non-violent party is the repressor and the violent party is not the repressor.

Now, Sir, I do not disclaim that Government do and must use repression at times. It is an unfortunate and unpleasant duty forced upon them by certain situations that occasionally arise. I have never denied, I have always maintained in this House that force must be met by force and that crime, stark, brutal, murderous crime, such as has been going on in this country, must also be met by force. That has to be repressed and Government cannot be condemned for any measures that they take to repress it.

Now I should like to remind the House briefly of what the experience of Government has been during this war in regard to the movements that they have had to meet.

First of all, there was the civil disobedience movement, launched in October 1940 at a time when England in Europe stood alone at the most critical moment of the war. That was the moment chosen to send 26,000 Congressmen to prison and for many others to court imprisonment by preaching that it was wrong to help the war with men or money. Well, that movement went on for more than a year and the civil disobedience prisoners, the great bulk of them, were released in December 1941. What was the response of the Congress? I quote from the resolution of the Working Committee dated 30th December 1941, in which they said: "The recent release of a number of political prisoners has no significance or importance". That was the response that was met by Government trying to take the advice of this House in regard to withdrawing measures against that movement. The movement, it is true, was nearly dead at that time, but a very large number of Congressmen were released and it was hoped, or it might have been hoped, that that would meet with some response. The response it met with was not such as to encourage Government to repeat measures of the same kind. Actually in that same resolution all that the Working Committee did was to reaffirm their resolution of the 16th September 1940, in which they declared the civil disobedience movement, and to refuse all help from the Congress in the defence of India. That was the first movement.

Then we come to the Congress open rebellion, as they called it, of August 1942. This again was launched at a moment when a Japanese attack on this country seemed imminent. Not a good record, as I think the House will agree when Government is accused of a black record in the course of this war in its handling of the Congress. I think it would be a good thing if the House and the public would remember what the Congress has been responsible for in regard to the war effort in the defence of this country.

(Interruption by *Sardar Sant Singh*.)

Now, with regard to the character of this movement, I have many times given the House information showing the serious and violent character of the disturbances with which Government had to deal. I need only refer to my

[Sir Reginald Maxwell.]

speech of the 15th September 1942, or again to the speech of my Honourable colleague, the Law Member, made on the 24th September, 1942 in regard to Mr. Neogy's motion, and to my speech of the 12th February last on the same motion. If the House was not convinced of the character of this movement from the information then placed before them, nothing more than I can say can add to their knowledge on that subject. But if more is wanted, I would refer the House again to the booklet recently published, and I would draw their attention especially to the numerous appendices published in that booklet showing the nature of the instructions which have been issued and are still being issued by the Congress underground organization. If more is wanted, as apparently it is wanted, I intend to publish very shortly a further booklet giving some facts about the disturbances. This has been compiled by an independent writer from materials supplied by Government and he has put it in his own words. There is nothing in it that the public did not already know or should not know, or that has not been published in the papers; but when the whole story has been put together in a simple manner in this way, the public will be in a still better position to judge for themselves the kind of disturbances which have been thrust upon the country by a party anxious to gain power for itself.

Sardar Sant Singh: Will you permit us to publish a reply?

The Honourable Sir Reginald Maxwell: I would ask, do the public really want such things? Or is it not rather the duty of the Government to repress such things with all the powers at their command? The actions against which this repression was directed were crimes—crimes of the worst kind, punishable under the law of this land, punishable under the laws of any land. I need only remind the House of the figures of convictions arising out of the present movement. These are convictions by courts on evidence laid before them—not executive action but judicial decisions. The progressive total of convictions up to the 15th January was 29,681. Does this figure indicate that there was no movement which Government were right to suppress?

Dr. P. N. Banerjee: Nobody denies that there was.

Sardar Sant Singh: The Honourable Member is putting his case in an entirely

The Honourable Sir Reginald Maxwell: I am not giving way.

Mr. President (The Honourable Sir Abdur Rahim): I must ask the Honourable Member not to go on interrupting the proceedings.

Sardar Sant Singh: But the Honourable Member asked a question; we have a right to reply to the Honourable Member.

Mr. President (The Honourable Sir Abdur Rahim): Somebody else can reply. But the Honourable Member should not go on interrupting.

Sardar Sant Singh: These are not interruptions.

Mr. President (The Honourable Sir Abdur Rahim): It is interruption.

Sardar Sant Singh: May I submit with due respect to the Chair that it is not interruption. When the Honourable Member asked a question, it must be replied to.

Mr. President (The Honourable Sir Abdur Rahim): He has not asked any question of the Honourable Member at all.

Sardar Sant Singh: He has asked a question of the House—a general question.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member who has already spoken is not the only person who can give a reply.

Major Nawab Sir Ahmad Nawaz Khan (Nominated: Non-Official): The Honourable the Home Member does not question any Member to answer it but he likes to explain some facts in this form.

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

The Honourable Sir Reginald Maxwell: If I may resume, I was going to inform the House that actually on the 1st January of this year, the number of persons still undergoing imprisonment for offences committed during this

movement was only 18,809, out of the total that I have mentioned. That is not a very large figure. Now, I would ask the House to compare the figures of persons convicted in connection with the previous civil disobedience movements. In the last civil disobedience movement, that is in the one of 1940-41, the number of persons, congressmen, convicted was 26,000. In the civil disobedience movement of 1930-31 the number of congressmen convicted by courts was 60,500—more than twice the number convicted in this movement. In the civil disobedience movement of 1932-34 the number of congressmen convicted was approximately 70,000. I would ask the House to reflect on those figures when I show that a movement of a character which the country has seldom had to face in the past, a movement of the utmost gravity and seriousness, has been put down by Government with a total number of convictions of only about 30,000 people. No one can say that the action taken has been excessively repressive.

I have only a moment or two more; but I would remind the House that the policy of this Government has been repeatedly made clear in regard to disturbances of this kind. I would refer the House to my speech of the 18th November 1941 on Mr. Joshi's Resolution about the release of prisoners, also to my speech on Mr. Dutta's Resolution of the 19th February 1942 and again to my speech of the 15th September 1942 on the present movement. It has been made clear to this House more than once that Government with its immense responsibility not only to India but to the whole of the Allied Cause cannot and will not permit activities designed to interfere with the successful prosecution of the war and thus to assist His Majesty's enemies nor, as I already explained on the 18th November 1941, can political or any other motives be regarded as an extenuation of offences deliberately calculated to impair the war resistance of the country or to undermine the war effort. But as everybody knows and as every Honourable Member of this House knows, the policy of the Government is always and has always been to take only such action as is necessary to safeguard its vital obligations. If anybody wishes to see how far Government will go as soon as the situation appears to be safe, I would draw their attention to the removal of the ban on the Communist Party of India during the currency of the present war; I would remind them again of the removal of the ban on the Khaksars. Surely these instances show that Government is ready enough to withdraw any repressive measures as soon as they think that there is a reasonable prospect of their being withdrawn with safety. The policy of Government, where they take action, is never vindictive. I need only refer the House to the impressive Government Resolution of 8th August, 1942 with regard to the launching of the present movement of the Congress, where they explained their policy and told the country that they had no desire to be vindictive in the action taken. Their policy is entirely defensive, in the sense that it is in the highest interests of public safety. I would entirely deny to this House that there is any repression in this country of ordinary or reasonable political and social activity or the expression of opinion provided always that peaceful methods are employed and that nothing is said or done to promote disorder or obstruction to the war measures of Government and the defence of India. Activities of the kind which have been repressed would not have been allowed in any country engaged in a long and dangerous war. If anything, too much latitude has been allowed, and it is with the utmost regret that Government have had to take this action. I can only say now that Government sincerely hope that the improvement of the situation will be such that further action of the same kind may not be necessary again, while the war is still in progress. Sir, I oppose.

Dr. P. N. Banerjee: What about the two cases to which I referred?

The Honourable Sir Reginald Maxwell: I referred to those while the Honourable Member was absent.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Home Department', be reduced by Rs. 100."

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 6,20,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Home Department'."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The next cut motion of the Nationalist Party is No. 90—demand No. 21.

DEMAND No. 21—FINANCE DEPARTMENT.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a sum not exceeding Rs. 5,46,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Finance Department'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 5,46,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Finance Department'."

Utilization of the Sterling Balances.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadian Rural): I beg to move:

"That the demand under the head 'Finance Department' be reduced by Rs. 100."

By this motion I desire to raise a debate on the question of the utilisation of the sterling balances. My justification in seeking to revive a discussion on this subject is the vital importance of it, which deserves, in my opinion, to be dealt with as a specific issue.

These accumulated sterling reserves have been acquired as a result of great sacrifices on the part of India, as was so readily acknowledged by the Honourable the Finance Member. They represent a restriction of purchasing power of the people and also to a certain extent account for the prevailing high prices of commodities in the country. The gradually increasing figure of these sterling balances has been a source of great anxiety to the people at large, and I take it that it has also caused no less anxiety to the Reserve Bank of India and to the Government. Due to a fortuitous combination of circumstances, India finds herself today in the position of a creditor country; but due to her political subjection she is not in a position to impose her will on the debtor as regards the method of payment. The balances have so far been utilised for the purposes of repatriation of sterling loans to the extent of about £300 millions, the funding of railway annuities to the extent of £30 millions, and the funding of certain railway debenture stocks of the face value of £20 millions. The next scheme which the Government have in active contemplation relates to the funding of the sterling pension and provident fund obligations of this country. My Honourable friend, the Finance Member, has assured the House that this particular scheme is the result of a very shrewd bargain which he succeeded in driving, and which has resulted in a very profitable investment for the tax-payers of India. My Honourable friend deprecated on the last occasion the importation of suspicion and prejudice into the consideration of an economic proposition. I should very much like to draw his attention to the volume which I hold in my hand, which contains the minutes of evidence given before the Joint Parliamentary Committee on Indian Constitutional Reforms in the year 1933. You, Sir, if I may remind you, will recollect the suspicion that was raised on that occasion before the Joint Parliamentary Committee regarding the safety of these pension and provident fund payments which the retired British officials were entitled to get from the Indian revenues. These pages are full of suggestions that these obligations should be funded. I have no time to give extracts from the evidence, but apart from the representatives of certain services associations, associations of retired British members of the Indian Civil Service, to which perhaps my Honourable friend will lend his adherence in the near future—apart from these associations which were directly interested in safeguarding

their financial interests, the Secretary of State for India himself talked about funding of these obligations and one gathers the impression that the only thing that stood in the way of a concession being made then and there in favour of funding these obligations was that it might act as too great a strain on the finances of India. Now that that problem has been solved by the accumulation of these sterling balances, my Honourable friend was naturally faced with the demand voiced on that occasion—a demand which perhaps was repeated on the occasion of his last visit to England

The Honourable Sir Jeremy Raisman: Certainly not. That is quite inaccurate.

Mr. K. C. Neogy: Well, I have no means of knowing what transpired in England. I am bound to accept my Honourable friend's statement about it, but on similar occasions in the past, officials representing the Government of India had to give in, and I have only to refer to a similar occasion which happened in 1923 when Sir Charles Innes represented India at the Imperial Economic Conference and gave an assurance to the representatives of the Government in England that the bulk of the orders regarding railway stock particularly would have no difficulty in finding their way to England. When I confronted Sir Charles Innes with that statement, in the year 1927, this is what he said:

"I wonder if Mr. Neogy realises the atmosphere of a conference of that kind and the difficulties that one has when one is in a conference of that kind. After all, we officers who serve India, are anxious for nothing as much as that the name of India should stand high in the councils of the Empire and I hope that the House will realise that in a conference like that, when you have the Premiers of the Dominions or Dominion Ministers agreeing to a thing of this kind, it is very difficult for the representative of India at once to say, 'I will not do it.'"

I do not know whether my Honourable friend had a feeling of that kind. As I said, the proceedings of these discussions in England will never see the light of day, and I must accept my Honourable friend's statement that such a consideration had nothing to do with the particular proposal to which I made reference.

Now, Sir, Indian opinion would like to know more about the future of these sterling balances apart from the question of creation of the Reconstruction reserve to which he has referred. I do not know what he expects to be the ultimate figure of the reserve fund that he contemplates. I do not also know the extent of India's needs in the way of capital goods for reconstruction and what amount will be needed to be met out of the reserve fund for the purpose of financing purchases of these capital goods. But the Honourable Member is perfectly aware of the demand that has been made by Indian public opinion that, apart from the repatriation of debts and other things that have taken place, the sterling debentures of semi-Government bodies like Port Trusts and Improvement Trusts which in all amount to about £10 millions, as also sterling debentures outstanding of public utility companies in India, sterling shares outstanding, ordinary and preference shares, of public utility concerns like tramway companies and electric supply companies, power companies and so on, which also stand in the neighbourhood of about £10 millions—all these obligations should also be repatriated in due course. Then, Sir, the Honourable Member knows perfectly well that Indian opinion demands that the British

and other foreign investments in India, particularly in sterling, should be acquired with the help of the sterling balances now in London. I should like my Honourable friend to give an estimate of the amount involved in these items and what he proposes to do for the purpose of giving effect to this unanimous demand of Indian public opinion. It goes without saying that we should like to get rid of the incubus of foreign capital sitting on the chest of India in a perpetual tenure.

I do not think I shall have time to deal at length with the other points that rise to my mind; but I should like to know from the Finance Member whether any action is proposed to be taken on behalf of the Government of India for the

[Mr. K. C. Neogy.]

purpose of maintenance of the value of the sterling reserves, that is to say, whether any guarantees are expected to be obtained from His Majesty's Government against depreciation of the sterling's value and whether the convertibility of sterling into foreign currency in future will also be insured. My Honourable friend, Sir Henry Richardson, has undoubtedly a great faith in the sterling character of sterling; but I would just remind him that after all the other countries in the world may not have as great a faith in the future of sterling as he has. In a press communique published from London, dated March 3rd, this is what I find: "Sterling's post-war dollar value remains problematic". That is the first line of the Press message.

The Honourable Sir Jeremy Raisman: That is obvious.

Mr. K. C. Neogy: There are people who "expect severe depreciation of sterling and some recent buying of international securities at rates equivalent only to two dollars per sterling seem based on this assumption".

The Honourable Sir Jeremy Raisman: Will the Honourable Member read some of the earlier sentences which suggest that it might be worth six or ten dollars?

Mr. K. C. Neogy: That is why sterling's post-war dollar value remains problematic.

I will now come to a more definite instance in which a smaller country than India has refused to act on that hypothesis, that sterling value will remain unaltered, and that is the case of Argentine. I hold in my hand an extract from the *Economist*, dated the 4th July, 1942, and I will give a very short quotation from this article:

"In its annual report for 1941, the Argentine Central Bank expresses anxiety that Great Britain may be unwilling to abandon the system of blocked pounds and clearing agreements after the war. (*This is exactly the apprehension which we have in mind*) which would compel the Argentine to return to the bilateral system in its trade as a whole. It is in the light of these doubts that one must read the statement that the increase in sterling balances remains a cause of concern to the Argentine Government, since the report itself shows that Argentine has been relieved of all exchange risk by a gold guarantee which now covers the whole spot and forward sterling position in Argentine's favour."

I should like to know whether, apart from a general assurance that sterling can never deteriorate in value, the Government is going to take any action for the purpose of getting a guarantee which could be enforced against His Majesty's Government that in the event of sterling depreciating this country shall not stand to lose.

In that connection, I should also like to know whether this matter has engaged the attention of the authorities of the Reserve Bank, because primarily this is a concern of the Reserve Bank and it is the function and duty of the Reserve Bank to see that the sterling balances, which form the foundation of the currency system to a certain extent of this country, remain unaffected by any fluctuations that may take place in the monetary conditions of the post-war world. I should like to know from the Honourable Member whether the Government of India has had any consultation with the Reserve Bank authorities in this respect, and if so what opinion the Reserve Bank authorities have expressed and what action Government propose to take on that opinion.

My Honourable friend, the Finance Member, the other day was asked a few leading questions by my Honourable friend, Sir Cowasjee Jehangir, who was very anxious to help him out of what he considered to be a rather uncomfortable position in which the Finance Member had put himself. My Honourable friend, Sir Cowasjee Jehangir asked as to whether the sterling balances will be available, for instance, for making purchases in America. Repeated questions were asked but no satisfactory reply was given, and the Honourable the Finance Member only said that he could not give any categorical answer to such a question and that everything would be regulated by the relation which would prevail between sterling and dollar, which would be a post-war problem. That is exactly the reason why we should want to safeguard our

position. But then, Sir, if there was at any time any doubt in the mind of any Honourable Member of this House as regards the exact object with which the proposed reserve fund is to be set up, that doubt should have been dispelled by this time by reason of the comments that have appeared in the British Press, in which they have taken for granted that this reserve fund will be available for supplying India with goods from Great Britain. This is what I find in the *Times*:

"India would be the first large post-war market visible for Britain's heavy industry."

Then I come to the *Economist*, which says:

"As an important consolation, Britain's magnanimous financial arrangements with India have created a volume of sterling which must ultimately be used for British exports, thus aiding employment in certain export industries after the war."

That is definitely the object with which this reserve fund has been created, and it is no use my Honourable friend taking umbrage when we make this statement, on the ground that suspicion should not be imported into the consideration of purely economic questions.

It is really an irony of fate that in such matters India has to play with loaded dice, loaded against herself.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Finance Department' be reduced by Rs. 100."

Mr. Jamnadas M. Mehta: Sir, this question is rightly engaging the attention of not merely Honourable Members in this House but the entire country outside. And its importance cannot be too much emphasised. There are various points of view from which this question can be considered. First of all, whether we have a proper backing for our currency. I have in my hand the statement of the Reserve Bank of India, dated the 5th February, 1943, published in the Gazette on the 20th February. On that date the currency notes issued are stated to be 614 crores as against 180 crores at the beginning of the war. It means that the increase in the paper currency of this country has been 320 per cent. in the course of this war, since September, 1939. I am not today going into the facts of that unprecedented expansion of paper currency. On the Finance Bill we shall have sufficient opportunity for doing that, but I am more anxious that the security of the currency notes should be placed above all reproach or above all danger. Now, what is the matter with our currency, these 614 crores of currency notes? I am sorry to say that more than 614 crores which are supposed to be the security for this are not available in case of emergency. First of all, the sterling reserves are 367 crores and then we have the Government of India rupee securities which are 189 crores and add to it 82 crores of balances held abroad. If you add these, you have not merely the whole of the paper currency of this country unsecured or of any security except one I. O. U. of 614 crores backed by as many as 442 crores of money abroad and 199 crores of the Government of India's own security.

The Honourable Sir Jeremy Raisman: I trust the Honourable Member who understands these things is not counting balances held abroad as part of the backing for the currency.

Mr. Jamnadas M. Mehta: I am not, but I must count that there are other moneys not available in this country. I quite agree that so far as the currency reserves are concerned, these balances held abroad are in a different category. This is elementary but I cannot ignore the fact that in addition to 367 crores of sterling reserves the sterling held abroad is 83 crores, and the worst of it is that these are held at $\frac{1}{4}$ per cent. or $\frac{1}{2}$ per cent. per annum.

The Honourable Sir Jeremy Raisman: 1 per cent.

Mr. Jamnadas M. Mehta: Let him give me the average and I will accept it.

The Honourable Sir Jeremy Raisman: I think the Honourable Member would be nearer accuracy if he said 1 per cent; if he is approximating.

Mr. Jamnadas M. Mehta: I am quite willing to say that it is approximating 1 per cent, but will anybody give willingly a loan at 1 per cent. of 445 crores of

[Mr. Jamnadas M. Mehta.]

rupees? I assure the Honourable Member that I am not here to create any racial prejudice or to indulge in exaggeration. But facts must be faced. . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech after lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. Jamnadas M. Mehta: Sir, I was pointing out that against the 614 crores of currency notes issued we have reserves to the extent of 450 crores outside India and 189 crores Government of India's own 'I owe you'. Sir, there is no greater well wisher of the Government in this war than myself, and, therefore, I must not give expression to any evil forebodings. But God forbid, supposing the war entirely went against us, Great Britain and India were separated, what would happen to the Indian currency. That thought should have occurred to my Honourable friend, Sir Jeremy Baisman, as our Chancellor of the Exchequer. I tell him that he should think it from the point of view of the Chancellor of the Exchequer of India and ask him as an honest and conscientious man, I ask him as such whether any Finance Member or the Chancellor of the Exchequer of any country in the world will be justified in keeping outside the country the currency reserves of the nation on which the entire economic mechanism of the country is built and leave that country high and dry in case of an accident like this. I think it is impossible, it is inconceivable and it is only possible in this country. Does it show any confidence or trust imposed in India that our entire currency reserves are either outside India or of no value in case of a crisis? It is not a small sum, but the entire amount of Rs. 367 crores and more. I know the reason why the Honourable the Finance Member, during the course of general discussion, was so feeble and half-hearted, being conscientious, he knew that he was bucking up a very weak case. Sir, this is the position about the currency reserve allocation and possibly of loss in case of a crisis.

Now, take the value of the sterling after the war. My Honourable friend knows that after the last war sterling went down so much that here in this country people could get one pound for paying Rs. 7/10/-. A pound which was worth more than Rs. 15 could be had if you paid Rs. 7/10/-. That happened after the last war. About 70 crores or more of Indian gold was lost in the mad speculation, because everybody could get a pound for Rs. 7/10/-. If the pound was so depreciated in the last war, the danger of its depreciation after this war is much greater when England is spending about 13 million a day in this war. I ask him, does he want to put this country into that great trouble? Something should be done to bring our reserves to this country so that they will satisfy eventually the needs of any situation that might arise. What do we find. The point which I wish to make is this. That not only has the sterling reserve been raised and kept in London but England's very urgent needs have been met to the extent of several hundred crores in repatriation of this country's debt. If I had been asked, we want money, pay back your debts, I would have gladly given them. But what is actually being done? There is a clear intention to keep our reserves outside this country without consulting the public opinion. Things are happening outside behind our back and it is taken as a high water mark financial statesmanship. These are the things which I do not like. I like a straight request to me. But what do we find? Our money is being spent behind our back and still we are asked to be grateful that crores and crores of our money are being spent in that way. I cannot understand that. But I do understand every move that is being made since the accumulated reserve. I ask the Honourable the Finance Member to take me into confidence. It is my country's money, it is the money belonging to these 40 crores people

of this country: they have a right to say something in this matter. Do not decide anything behind their back. Don't treat us like children as if we do not understand these things. I thought the Honourable the Finance Member will have consultation with Members of both the Houses and put his cards on the table. But what do we find? The Honourable Sir Henry Richardson, Leader of the European Group, comes and expresses his disagreement about getting the money back. He says "use it in England and keep it there". Then take the proposed Reconstruction fund. God knows what this reconstruction fund is. The *London Times*, The *Economist* all join in the same chorus. Do you think we do not understand? We know what you decide behind our back. Be square. If you want any help, it is our duty to do so, if we can. But you should not arrange things in your own way, *i.e.*, behind our back. Therefore, I do beg of the Honourable the Finance Member as the custodian of this country's interests that first of all the accumulation of these great reserves in England is wrong. Secondly, when you propose to spend them without our consent it is wrong. Therefore I beg of my Honourable friend the Finance Member in all earnestness, do not be under the thumb of foreign interests. I have every consideration for British interests in this war and am willing to come to any reasonable arrangement if you want me to, after consulting me. But that you should do everything behind my back and then have an inspired agitation from Sir Henry Richardson here to the *London Times* in U. K. does not at all impress me. I become very suspicious. I emphasise that this is my country, my country's reconstruction should be in the light of my country's requirements. I demand I shall be consulted. I shall not be met with a *fait accompli*. Above all these huge millions will be disposed of, adjusted, spent and invested only in the interest of the country, after consulting the people of this country. This is not an extravagant demand, this is a demand which I can make from a servant of the people of Ind. a. After all the Honourable Sir Jeremy Raisman is a servant of the people. Ask him whether any servant would have placed 639 crores of rupees belonging to this country on which the economic foundation of the country, the country's economic life depends, whether any servant would have placed that in that state of jeopardy without regard to our interests and without consulting us. I only beg that we should be taken into confidence, we shall do our best for England consistently with our safety only if we are consulted.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I rise to support the motion before the House. The purpose of this cut motion is well known and I do not propose to go into great details. The Honourable the Mover from Bengal has explained the real purpose behind this cut motion. We only want to get a guarantee that we will have a free hand in the utilisation of the sterling balance which is piled up in England. I do not propose to discuss at length on this occasion because I made elaborate comments when I was speaking on the general discussion of the Budget. If I remember correctly, the Honourable the Finance Member in reply to the Budget debate said that Canada also has agreed to lease and lend arrangements. I should like to ask the Honourable the Finance Member whether he realises the difference in position between Canada and India. Canada agreed to join the war out of her own free will, whereas we, at any rate, in the beginning of the war, were dragged into it without any consultation. That is what the Honourable the Finance Member should remember before he tries to give the analogy of Canada in that matter. Besides that, speaking financially, Canada had no alternative, after practically exhausting her sterling balances in England by the method of "Dis-investments" except to pursue the course which she did. She could only refuse to trade with England, because there was no capacity for her to do so on gold basis and she ultimately agreed to lease and lend arrangements, after English credit has been exhausted to a great extent. This is the position which I have been able to understand. Again about Argentine, she

[Mr. Muhammad Nauman.]

also has some sterling balance, but for all her purchases which she wants to make in India she wants that sterling balance to be utilized. This only means that she also is anxious not to have any sterling balance in England for post-war conditions. Certainly it means that there is a suspicion in the minds of the Dominions and other countries that the sterling will not be able to maintain its position as a stable currency in the future world. It has already depreciated to some extent. As I said when discussing the General Budget, India can make no forecast to what extent it will depreciate in future. Of course, I know that it will be the effort of His Majesty's Government to maintain its position, but how far they will succeed in that is a matter of opinion. So, naturally our anxiety is that we should not take the risk and for that purpose we want a guarantee from His Majesty's Government to the Government of India that the sterling balances will be available to us for conversion into dollar exchange without any loss to us and without any depreciated value. Therefore, we will be able to get back that sterling balance in the form of gold. It will not be for England to dump the goods they manufacture into India just to liquidate that sterling balance. That is the only position about which we are anxious and the country is nervous. Our main object in discussing this cut motion is to bring home to the Honourable the Finance Member the gravity of the position and we urge that he should convey to His Majesty's Government the feelings of this country and he should give us a guarantee that he will see there is no possibility of any risk that the huge sterling balances we have at the moment will be frittered away. We only hope that the Government of India would realise the gravity and importance and magnitude of this issue and we, on this side of the House, are trying our level best to persuade the Government to do what best they can and to give us a guarantee that what they are doing is in the best interest of this country and that we will be consulted in the utilisation of these balances to the best interest of the country. Of course, the Government of India will be able to place all information before us and we will be able to devise the best manner in which the balances should be spent.

With these words, I support the motion.

The Honourable Sir Jeremy Raisman: Sir, I must confess to a certain amount of embarrassment in attempting to discuss matters of this kind on the floor of the House, when the financial relations of countries, not merely ourselves and Britain, but the relations of Britain with other countries are also involved. I cannot repeat too often that this matter cannot be viewed or dealt with on the simple lines which certain Honourable Members seem to think. It would hardly be possible for a matter of this kind to be discussed with complete freedom in almost any legislature. There are many aspects of such a question which Governments can only deal with in consultation with each other and they cannot do more than take account of the interest of their own countries and the views expressed by their citizens. But it is quite impossible that every stage of the relation of countries in matters of this kind should be fully explored and explained in public discussion. It is from no desire to do anything behind the back of this House that I shall have to refrain from going into this subject in the detail which Honourable Members seem to expect. But I also feel that the whole question is capable of being presented from a somewhat different angle from that which has been adopted by the Mover and his supporters.

My Honourable friend, Mr. Jamnadas Mehta, said that he was fully in support of Britain and the war effort of the United Nations and I believe him so to be. But I find it difficult again to reconcile that with some of the things he has said. Now, he asked the crucial question "what would happen if Britain suffered defeat: if the United Nations were defeated". I agree that is a crucial question, but my answer to him would be that in that event India and the world

would lose a great deal more than the three or four hundred crores of the sterling balances which we are discussing today.

Mr. Jamnadas M. Mehta: I agree with you there.

The Honourable Sir Jeremy Raisman: If my Honourable friend wishes that I should make some arrangements which will guarantee him against a world cataclysm of that kind, then I must admit that I have no answer. India has a stake in victory—you cannot get away from that. All the countries, the United Nations, stand or fall by victory in this war, and it is impossible to conceive what the consequences would be to the major part of humanity if victory were not achieved. Now, I do not understand what, in those circumstances, my Honourable friend expects. He says: "What has Britain been giving; what has she given?" Well, I ask him how are the sterling balances arising? On the one hand India is providing certain goods and services for the war effort, yet she has a very favourable balance of trade with Britain and with the United Nations. Why is that? Is it because the United Nations and Britain are not providing in return the goods which India needs? No. The point is that at the present time the goods which she needs are the goods necessary to ensure her safety. The whole productive capacity of Britain is at present concentrated on the production of the weapons of victory. It is because Britain is producing these goods not only for herself but for India and all the United Nations that she is not left with any margin of productive capacity wherewith to balance the goods and services which she is receiving from India. So, on the one hand, India to the extent that it is judged that her financial capacity is inadequate to enable her to accept the final liability for the contribution which she is making to the war, to that extent she receives sterling credits and those sterling credits cannot be wiped out because the trade in the other direction is one for which no credits are given. It is because the supplies to India take the form of guns, planes, tanks and all the massive paraphernalia of modern war which are either supplied free by His Majesty's Government or supplied on Lease-Lend terms by the United States of America. I think, Sir, that these are very relevant considerations and particularly my friend, Mr. Jamnadas Mehta, who subscribes wholeheartedly to the war effort must recognize that they are relevant. Does he, in the present circumstances, expect that Britain, in addition to sending the only goods she can produce, should send other goods in order to extinguish the sterling balances.

Mr. Jamnadas M. Mehta: Consult us.

The Honourable Sir Jeremy Raisman: Well, he is being consulted in a sense at this moment. Nothing is being done behind his back. The effect of these arrangements is patent for everybody to see. These are matters which are being discussed not only in India, but in all countries of the world. It is a common problem. It has been solved in different ways in different countries.

My Honourable friend, Mr. Nauman, objected to my citing the instance of Canada, because he said that the cases were not on all fours. But I would remind him that it was he who asked me what the Dominions were doing. Now, Sir, this type of problem, as I said, arises all over the world. It arises wherever contributions are made to the common effort of the United Nations. Well, what should be the model for India's attitude to a problem of this kind? Honourable Members have mentioned the Argentine. I would remind them that that particular country happens to be, as far as I am aware, the most pro-Nazi of the South-American States. Is that the model which my Honourable friend, Mr. Jamnadas Mehta, particularly would choose as an example for India's conduct? Again, models have been drawn from the conduct of the United States of America when she was at the stage not only before she entered the war but before Lease-Lend, at the stage when it was an entirely open question in America whether anything should be done on behalf of the Allied cause, at the stage when Britain alone faced the Axis menace and when America

[Sir Jeremy Raisman.]

had not yet realized that if Britain went down in that struggle America's turn would come next. Why should attention be concentrated on the kind of adjustments which had to be made at that stage in America's history and not on any later stage when America had realized how much she had at stake, and had to come to the conclusion that whether there was payment or not the weapons of war ought to be provided? Now, the Mover of this motion, in the first place made some observations on the matter of the proposal mentioned in my Budget

speech in regard to pensions, and he referred to certain discussions 3 P. M. which took place before the Joint Parliamentary Committee, when, in connection with the suggested safeguarding of pensions, a funding scheme was proposed. There is all the difference in the world between that proposal and the proposal mentioned in my Budget speech. There is no question here of safeguards, and there is no question of funding. The proposition here is that you have a certain amount of sterling about which, on your own showing, you are uneasy. Now, to the extent that you can utilise those funds to meet liabilities which you have, and which you know will be coming along, in what way is it imprudent or undesirable for you to utilise the assets about which you say you entertain misgivings in order to clear your account? It is not as if you were handing over the money to anybody else. The results of your investment come back into your hands and you have the same discretion as you ever had in regard to the application of those funds.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): Why do you call it an investment?

The Honourable Sir Jeremy Raisman: Because the position is comparable to that of a man who finds himself in possession of a capital sum with which he does not know precisely what to do at the moment: in fact, in the position of a man whose opportunities of employing his capital are exceedingly limited. He casts the probabilities of the years that lie in front of him and he sees that there are certain liabilities which he will definitely have to meet, and if he has a problem about his capital he may invest it in a way which will enable him to meet those liabilities as they fall due. That is an investment surely. It is an investment because he puts aside for a time being that capital on which he receives a definite interest.

Sir Cowasjee Jehangir: What is the rate of interest?

The Honourable Sir Jeremy Raisman: He receives a rate of interest appropriate to the length of time for which the money is invested.

Sir Cowasjee Jehangir: You did not mention it before.

The Honourable Sir Jeremy Raisman: I did not mention it because, although Mr. Neogy spoke about it as though it was a *fait accompli*, that is not the case. It is still a proposal and a matter under the consideration of the Government of India, and it has not yet been actually formally put to His Majesty's Government. But it is essentially in the nature of an investment because the rate of interest appropriate to the employment of money for so long a period would naturally be considerably higher than the rate of interest which can be obtained on the balances while they are invested in short term Treasury Bills. That brings me to the point which my honourable friend, Mr. Jamnadas Mehta, made. He said would anyone ever invest such large sums at such a rate, at the rate of one per cent.? Well, I am glad to say that we ourselves are able to borrow comparable sums at the rate of one per cent. or even less. Our own Treasury Bills are on a similar basis, and there is nothing unusual in that rate of interest for sums which are only invested for such a short period. It is true that you may not know how better to invest your money when that short period elapses, and, therefore, until you can devise a better use you remain on the short term one per cent. basis. And that is the relevance of the higher yield which could be obtained by a scheme such as that which I have mentioned.

Mr. Neogy repeated the criticisms of the proposal for a Reconstruction Fund. He again talked about it being a fund for the reconstruction of Britain. Well, Sir, I find it difficult to understand the attitude of my Honourable friend. If a man owes you a debt he can pay you by goods or services. It is a common place that in the international field you must ultimately be paid in goods or services. You start off by saying that any scheme which keeps him employed in services to you or in making goods for you must be barred. That is for his advantage, not for yours. I do not understand the position of my Honourable friend, or why he finds it difficult to appreciate my reference to importing suspicions or political prejudice into the matter. It must be remembered that after this war the position will be very different from what it was a few years ago. It will not be the case that a world producing vast quantities of goods is looking eagerly about for customers. The position for a very long time will be the exact reverse. We have to remember that there are the devastated countries of Europe. There is China: there is Russia: and there is the enormous material damage which Britain herself has suffered. Now, in those circumstances does my Honourable friend think that it is absurd to suppose that you may have some difficulty in getting your goods from any part of the world? Does he think that you are in the position of a man walking about in the bazaar and shaking the money in his pocket and wondering what he would like to buy? The essential fact which must be faced up to is that there is scarcity, and that there will be scarcity not only during the war but for many a long year thereafter, and our proposition was that we should set to work now and see to what extent we could prepare now and put ourselves in a position to take advantage of the circumstances as they will exist after the war, and be in a position to indicate our claims and the order in which we desired them to be satisfied. If my Honourable friend sees a sinister motive in that, I am afraid I cannot understand him. It may well be that consolation is seen in England, which after all finds itself, as a result of a common war effort, incurring an enormous debt to India, it may well be that there is relief at seeing a possibility, at any rate, of dealing with this problem; but does that mean that it is not to the advantage of India?

My friend, Mr. Neogy, emphasised the fact of my embarrassment and my evasiveness in my reply to a question by Sir Cowasjee Jehangir. I can see nothing evasive in the statement of that simple position. Sir Cowasjee Jehangir's question was in effect "Can an obligation which Britain is incurring to India be capable of being transferred to other countries, or part of it, so that India will receive the goods which she requires from other sources?" My answer to that is quite simple. It depends on the relations which will obtain in the post-war world between Britain and those other countries. Surely, there is nothing evasive about that. It is a simple statement of fact. The sterling assets represent a debt from Britain to you. You say, will it be possible to transfer part of these for use in other parts of the world? That immediately brings in the question of the relations of Britain with those other parts of the world. In order that you may be able to draw goods on this account from other parts of the world, Britain must be able to transfer goods or services to the sources from which you would wish to draw your goods and services. In other words, that is a multi-lateral arrangement, whereas at the present moment what is being incurred is a bilateral obligation; and before a bilateral obligation can be converted into a multi-lateral one, there must be international arrangements, some international recognition, some international system which will enable the necessary economic processes to take place. . . .

Sir Cowasjee Jehangir: May I clear up one doubtful point? The Honourable Member calls it a debt from England to India. I do not know whether that is the right expression to use. At any rate what I believe it to be is a certain amount of money in sterling belonging to India in England. The debt

[Sir Cowasjee Jehangir.]

has been paid. It is there in sterling with the Reserve Bank; it is no longer a debt; it is money there. The question was, if exchange is available between England and America, will there be anything in the way to stop India buying from America, provided the exchange is there, provided the sterling can buy the dollar?

The Honourable Sir Jeremy Raisman: I am afraid I have not really got time to explain that point. The point is that in so far as the sterling credits are not at present convertible into goods, they are in the nature of a debt, and that is the correct way of looking at them. They are not actually money immediately available for conversion into goods or services.

I wanted before I sat down—I have only a minute left—to say that surely the proper approach to this question is this: India is making a certain contribution to the war effort of the United Nations. If, as we all hope, those efforts result in victory, then India will have certain claims to make on the post-war world. She will have claims to make on the basis of the contribution which she has made to the common victory and on the basis of the needs of her people. In my opinion, nothing that India can do can put her claim on a higher level than that. The questions will be, what has India contributed to victory, and what are the needs of her people? I believe that when those questions come to be dealt with, India herself will have a place at those international discussions and will be able to argue her own case and to explain her own needs; and in the light of that case and of those needs India will be able to receive her due share of what the productive resources of the post-war world can afford. I do not think that anything you can do can put your case higher than that, and I do not believe it would be to the advantage of India to try and put her case in any other way.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions; Muhammadan Rural): May I ask one question?

Mr. Deputy President (Mr. Akhil Chandra Datta): The time is up. The question is:

“That the demand under the head ‘Finance Department’ be reduced by Rs. 100.”

The motion was negatived.

Mr. Deputy President (Mr. Akhil Chandra Datta): Now, it is the turn of the unattached Members.

Mr. Jamnadas M. Mehta: Item 52?

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion No. 42.

Mr. Jamnadas M. Mehta: I am surprised. The note which I received from the Government Whip mentions me as the first Mover.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Demand for Grant has already been moved. Now, cut motion No. 42 is to be moved.

DEMAND No. 12—EXECUTIVE COUNCIL—*contd.*

Grievances of the Personnel and Students of the I. M. D.

Mr. Frank R. Anthony (Nominated Non-Official): Sir, I beg to move:

“That the demand under the head ‘Executive Council’ be reduced by Rs. 100.”

I move this cut motion in order to draw the attention of the authorities to the substantial grievances of the personnel and students of the I.M.D. (British Cadre). The educational standards required for qualifying for this department have been raised progressively from year to year, till today only the best qualified young men, men who have the highest mental, physical and moral equipment can hope to pass into this department. They are required first of all to complete the I. Sc. examination; then they have to cover a course extending over a period of five and a half years as military medical students. In addition to that they invariably also qualify and pass their M.B. and B.S. degrees. In spite of this rigorous and protracted nature of their education, in spite of the highly-trained and specialised knowledge which they have acquired, the authorities today are discriminating and continue to discriminate against the men in this particular department. They hold warrant

officer rank, and yet these men holding warrant officer rank in what is characterised as a British cadre are the only men in the British army to be denied the allowances which are granted to warrant officers of all the other British cadres. An I.M.D. warrant officer does not get separation allowance, he does not get any marriage allowance, he does not get fuel or electricity allowances. I say without any qualification, and the authorities are not in a position to deny it that these I.M.D. men, from the point of view of education, training, ability and specialised knowledge, tower above their contemporaries and equals in the other British cadres. Compared with them the British warrant officer who has risen from the ranks by dint of long living in the services like the Royal Indian Army Service Corps or the Indian Army Ordnance Corps—the British warrant officer is a semi-illiterate and half educated person. Yet you deny to Anglo-Indians in the I.M.D. the allowances which are given to these other British warrant officers. The least that one can say of it is that it is an indefensible and unjustifiable policy of discrimination, a policy of discrimination which has been practised against one of the finest body of men in this country. A finer, a more reliable, a more highly qualified or more devoted body of medical men you possibly could not find in any other part of the world. And yet, as I have said, these are the only people qualified as members of the British cadre, who are denied the allowances which are granted to warrant officers of all the other British cadres. They are also discriminated against in the matter of promotion. Promotions and accelerated promotions to officer ranks are given to warrant officers in the other Corps, like the Royal Indian Army Service Corps and the Indian Army Ordnance Corps. While they are getting accelerated promotions to officer ranks, the warrant officer in the I.M.D. is precluded from these accelerated promotions. He has to wait for 20 or 22 years before he can expect to get a commission in his own particular department. With regard to the condition of those who are qualifying to-day as entrants into this department, I can only say that the most unnecessary restrictions are being placed upon these from men offering their services in an officer capacity. The Government to-day is subsidising the civil medical students in the last year of their course,—subsidising them to the extent of Rs. 100 a month as an inducement, I won't say as a bribe, but as an inducement to secure their services on the completion of their medical course. These civil medical students, whether they qualify as graduates or merely qualify as licentiates, immediately on the completion of their medical course, are given commissions. But the I.M.D. student, the military medical student, who, after doing his I. Sc., after doing 5½ years as a military medical student, and in addition, has also qualified as a graduate in medicine and surgery—he is not only not offered a commission, but precluded from applying for a commission. He has to wait in his department for a period of 3 to 4 years before he can even so much as apply for a commission. In college, not infrequently, these medical students who pursue a course which is co-terminous or co-equal with their civil medical contemporaries, not infrequently sweep the board of all academic awards and prizes. And yet they have to wait owing to the restrictions imposed on them—they have to wait 4 or 5 years before they can apply for a commission which is given to licentiates. To-day the Government is crying out for qualified medical men, they are using all kinds of inducements to bribe people, so to speak, into accepting commissions. Here you have men of the finest type, with good social, mental and moral antecedents, with the highest possible educational qualifications—not only are they not allowed to offer their services, which they are eager to do, but they are prevented by Government from offering their services. I can only make an appeal to the authorities concerned, first, to remove the grievances of the personnel holding warrant officer rank. They are absolutely the best qualified warrant officers in the British army, and yet you withhold from them the allowances which are given to warrant officers in every other section of the British army. You are not even giving them to-day the separation allowance

[Mr. Frank R. Anthony.]

which was given to them in the last war. To-day the I.M.D. man who goes overseas has to maintain two homes on exactly the same pay as he was drawing before the war. Finally, I would ask Government to consider seriously the withdrawal of the restrictions imposed on the military medical students. They are among the best qualified, and the most competent medical men in this country. They are not only willing, but they are eager to offer their services for commissions in the I.M.S. I would ask the Government to withdraw the unnecessary restrictions against their offering their services. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Cut motion moved:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

Dr. Sir Zia Uddin Ahmad: I wanted to ask one question but could not do so while the last speaker was on his legs. One thing is, is he not confusing the two classes of Commissions, the permanent Commissions and temporary Commissions? I could not make out from the speech of my Honourable friend this particular point, because those persons who are in permanent service, when they are promoted, naturally get a kind of permanent Commission, but those who are being recruited now from the colleges and who are given Rs. 100 a month get what you call a temporary Commission. I hope that my friend or the Honourable Member in charge will explain this point so that we may come to a considered judgment. This distinction exists not only in the army service but also in the services connected with educational institutions, because we are recruiting some persons now for war service. We prepare students in the engineering college and we give them higher salaries than those which the permanent staff are entitled to get.

Mr. Frank R. Anthony: On a point of explanation, Sir. The restriction I referred to is a restriction imposed on those men offering themselves for temporary Commissions in the I.M.S. Now,

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member cannot make another speech.

Mr. Frank R. Anthony: I have to explain it sufficiently.

Mr. Deputy President (Mr. Akhil Chandra Datta): No. The Honourable Member cannot do that.

Mr. C. M. Trivedi (Secretary, War Department): Sir, I have listened with the very closest attention to the remarks of my Honourable friend, Mr. Anthony. He first referred to the question of promotions in the I. M. D. The position is that the British cadre of the I. M. D. consists of 414 officers, of whom 100 have been granted Emergency Commissions in the I.M.S., that is to say, 25 per cent. In this connection, I may bring to the notice of the House the fact that it is only since 1925 that I.M.D. officers of the British cadre possess qualifications like the M.B.B.S. Previous to that, their qualifications were not as high as they are now. As regards permanent promotions, promotions to commissioned ranks in the Department are made by selection up to 10 per cent. of the strength of the cadre.

The next point that my Honourable friend raised was that those who have joined the I.M.D. were precluded from applying for Emergency Commissions until after four years of their service. That is not a fact. It used to be four years, and now the period has been reduced to one year. That was done four months ago. There is really no analogy between the students in the Civil Medical colleges to whose cases he referred and the case of these military students in the medical colleges, because the House is probably aware that the whole of the education of these military medical students is financed by the State. Government pays a capitation fee to the medical colleges concerned to cover the cost of the medical education of military medical students who subsequently join the I.M.D., British cadre. In addition, the State pays a stipend of Rs. 60 per month to each military medical student. Surely, it is not unreasonable that particularly in view of the shortage of warrant officers that

they should be permitted to apply for Emergency Commissions, one year after they join service.

Sir F. E. James (Madras: European): May I put a question? Did I understand the Honourable Member to say that the period of four years which used to be the rule before an I.M.D. officer could apply for Emergency Commissions in the I.M.S. has been reduced to one year?

Mr. O. M. Trivedi: Yes, Sir. That was done quite recently, in November 1942.

The next point my Honourable friend raised was as regards various allowances admissible to warrant officers on the Unattached List and not admissible to the I.M.D. of the British cadre. This raises a very wide question and all I can say is that I will have it examined.

There is one matter I would like to mention and it is this—that the present position is that the non-commissioned Assistant Surgeons of the I.M.D., both Indian and British cadres, are not employed as medical officers in military hospitals. The whole question of utilising them in the capacity of medical officers in those hospitals and raising the status and emoluments of those so employed is under the most active consideration of the Government of India from the broadest possible point of view, and I hope that it may be possible to announce the decisions of Government in the very near future. This announcement when made will, I trust—I was almost going to say I feel confident—be found to meet all the legitimate demands and aspirations of the I.M.D. I hope that, in view of what I have said, my Honourable friend will see his way to withdraw this motion.

Mr. Frank R. Anthony: In view of the Honourable Member's explanation, I beg to withdraw my cut motion.

The motion was, by leave of the Assembly, withdrawn.

Mr. Deputy President (Mr. Akhil Chandra Datta): The next motion to be taken up is in the name of Mr. T. T. Krishnamachari, No. 50.

Government attitude towards the Press in India and the working of Press Censorship.

Mr. T. T. Krishnamachari: Sir, I move:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

The object of this cut motion is not in any sense to make the position of the Press in India more difficult than what it is. Sir, the Press in this country has come to such a stage that its utility to the people of the country is getting progressively more and more limited and the people are vitally interested in having a Press which enjoys a large measure of freedom in the matter of giving news and in keeping the public informed. The House is aware that in India, in six provinces, there is now no popular Government functioning. The House is also aware that by reason of circumstances that have developed since last August ban on public meetings is fairly extensive. It exists in practice in every province and so far as my province is concerned there is no place where public meetings can be held in order to ventilate the people's grievances which are largely of a political character. Under these circumstances one naturally feels that a further restriction in the shape of press restrictions drives the people as it were to a sense of frustration. That is certainly not good for India, not good for its rulers. Nor is it good for the war effort. I shall, before I finish, make some suggestions with regard to how this matter can be tackled but I do believe that as the subject is one which is not very well known to the House and as the House is perhaps not conversant with the various situations which developed since November, 1940, in the matter of the relations between the Press and the Government, that the whole position has got to be reviewed in this House. The beginning of the relationship between the Press and the Government arose from an organisation set up in November, 1940, when the Conference of Editors of all India newspapers met in Delhi. As a result of that, an agreement was arrived at between the Government and the newspapers

[Mr. T. T. Krishnamachari.]

called the Delhi agreement. There are two specific points in regard to the Delhi agreement which I believe the House should know. One was that the Editors of newspapers on their part offered support for the war effort, qualified perhaps in the sense that they promised to do nothing to impede it and on the part of Government a categorical assurance was furnished to the Editors that the Government will do nothing to stifle normal political activity. But since the date of the agreement, there has been continuous trouble. The Delhi agreement received the blessings of the highest authority in this country and I believe that letters were sent to every Provincial Government to the effect that they must do their best to respect this agreement, so that the atmosphere in which it started was good but later on in the process of working the agreement, there was systematic and deliberate violation of the agreement in every instance on the Government side. The real trouble about the agreement seems to have been the unwillingness of the Provincial Governments to observe it and act upon it. So far as the Central Government was concerned, its views then were apparently completely in accord with the views of the Editors' Conference. It was the Provincial Governments that were not willing to give their support to the Delhi agreement. One of the provinces that set the ball rolling in this respect happens to be the United Provinces where the persecution of the *National Herald* and the *Sainik* was started. It was felt even by the Editors of papers which could not be said to profess extreme political views, by Editors of Anglo-Indian papers that the U. P. Government never concealed their dislike of the Delhi agreement and were not willing to accept the agreement.

I would like the House to remember at the same time that November, 1940, was the time when the first civil disobedience campaign was in operation. The Honourable the Home Member in another connection drew the attention of the House to the first civil disobedience campaign and the Delhi agreement was inaugurated and carried on successfully at a time when normal political activity was in a state of suspended animation and consequently there was a certain amount of strain in the matter of relationship between the Government and the public. But there is one factor which the House should not lose sight of. It was that though there had been an agreement between the Editors and the Government the Government by reason of the fact that it had a scheme of Press control through a Chief Press Adviser in Delhi and Special Press Advisers in the provinces was able effectively to control the news that passed through the news agencies. So, except such papers as had their own particular service organisation, the news agencies furnished only such news that the Government of India wanted them to furnish. That is a point that has to be noted because the question of censorship, the Government doling out the news which the people have got to believe in, was started from November, 1940, when the system of press censorship was introduced. There is another point which I would like the House to note. The advice of the Special Press Advisers has always been voluntary and no paper was really compelled to accept it. But in the provinces trouble was caused because of the fact that a particular Editor did not accept the advice of the Press Adviser and executive action was taken against him. Legally, no action was taken because such instances have not questions of the violation of any law. But Editors who chose to brush aside the advice of the Press Adviser were always subjected to harassment by the executive. That was how the system broke down in the provinces. The system continued through various vicissitudes until May, 1942, and after the break-down of the Cripps Mission I think the Government of India first set the ball rolling in openly discarding the Delhi agreement. I want the House to mark this that a revision in the working of the Delhi agreement did not synchronise with the so-called inauguration of the civil disobedience movement in August, 1942. A revision was really attempted much earlier; it was some time in May, 1942. And the All-India Newspapers Editors Conference, I am told, had been definitely told

that there has come a time when the original understanding has got to be revised because the time at which that understanding was arrived at was less pressing. The Government were good enough to say that in the main the Editors observed the agreement and only a few of them really did not co-operate to the same extent. After paying lip sympathy to the co-operation received from the Editors Conference, what the Government of India did want was that the arrangement should be set aside and that Provincial Governments should be given power to overrule the usual method of consulting the Advisory Committees before taking action. That, Sir, was the beginning of the trouble, the trouble that has been systematically continued since May, 1942.

The House is well aware that further restrictions were imposed on the press subsequent to August, 1942. In the press note issued on the 10th August, 1942, the Government made it clear that they had no desire to suppress news and they were not unmindful of the Delhi agreement and the atmosphere in which it worked. But, then, Sir, came the question of registration of correspondents by newspapers and this question was dealt with in various ways by various provinces. At the same time, on the 11th August the then Member in charge of Information and Broadcasting, Sir C. P. Ramaswami Aiyar, expressed on behalf of the Government that arising out of the situation that was in existence on August 11, 1942, the Government did not feel that they should stifle papers which were supporting normal political activity. It is very difficult to describe now or in August, 1942, what is normal political activity and what is not unless it be that the making of speeches in this House is the only normal political activity in which we can indulge. From that day started the trouble and various restrictions were imposed by the Provincial Governments and there has been a systematic harassment of papers in various provinces. I would like the House to mark this. The restrictions imposed are of this nature. The Special Press Advisers in various provinces had sent circulars detailing the restrictions imposed. I would like to tell the House what the Bombay Press Adviser did because he behaved in quite a different manner from other Press Advisers. The Bombay Press Adviser in a circular dated the 13th August said that no registration of correspondents was required so far as the city of Bombay was concerned but the newspapers should not publish anything about conditions in jails, details of trials and allegations of police severity. That is the crux of the whole problem. We have been pleading in this House at any rate ever since I came here, about the police excesses and about severity in jails. Questions were asked and various other devices were adopted to bring these facts to the notice of the Government. How are we to tell the Government what our grievances are? You cannot have public meetings. You know there are no popular Governments in six provinces and there these Governments think that whatever they do is right. Needless to say, the sense of frustration amongst the people grows with the growth in number of reports of harassment in jails and acts of police aggression since no authentic report about the occurrences was forthcoming in the Press. The newspapers are prohibited from publishing these news even to a limited extent.

The position that came into being was followed by a regular crusade against newspapers. Bihar is one of the worst instances. So far as the United Provinces is concerned, the *National Herald* had already stopped its publication. In Bihar the *Search Light* was asked to stop publication and no reason was given. The other English paper—the *Indian Nation*—owned by the Maharajadhiraja of Darbhanga, who, I have no doubt, gives much of his time and money, to war effort, stopped publication because the publication of the paper could not be pursued under these conditions. Two Hindi dailies stopped and one Hindi weekly also stopped publication. The Government has now started their own paper. They have started an English and a Vernacular paper. So far as the Punjab is concerned, although it enjoys provincial autonomy, in a way there has been trouble there

[Mr. T. T. Krishnamachari.]

too. So far as Bengal is concerned, the publication of the *Star of India* was suspended for one week and the latest victim is the Vernacular paper in Bombay *Janam Bhumi*. In Bombay that press was confiscated merely because some news in addition to what the Press Adviser allowed was published with regard to Mahatma Gandhi. Whether the news was of a character which was inaccurate or which tended to excite people, nobody has been told but it seems that by some queer act, whether by an apology or otherwise, the order has since been rescinded. So far as Delhi is concerned, we all know here the history of the *Hindustan Times*. The *Hindustan Times* has been in trouble since August last. The House knows that in August last the Editor of the *Hindustan Times* was arrested merely because he did not follow the order of the Special Press Adviser to confine the news of the Congress civil disobedience movement, as they called it, to two columns. But when the Editor was released, further orders were issued by the Press Adviser and that paper suspended publication. Sir, the paper revived again after what was called the Bombay Conference's resolution was accepted by Government. The Honourable the Home Member made it quite clear when an adjournment motion was moved in this House that this particular paper did not really keep within the terms of the resolution of the Bombay Conference. Sir, the Bombay Conference's resolution is nothing but a reiteration of the Delhi resolution. At the Bombay Conference the Editors agreed that they should avoid the publication of anything which may incite the public to subversive activity; or convey suggestions or instructions for illegal acts, or is an exaggerated report or unfounded allegation with regard to the excessive use or misuse of their powers by the police. In fact, the Bombay Conference did not materially alter the purport of the Delhi resolution. Nothing seemed to have happened so far as the various instructions issued to the press to stop publication after the Provincial Governments accepted the Bombay resolution. The *Search Light* of Bihar is still banned. As regards the *Hindustan Times* after it has announced its intention to resume publication, after the Bombay Conference resolution was accepted by the Government, the trouble started again over the publication of news in connection with Bansali's fast and precensorship over certain type of news and comments thereon was imposed. Further restrictions were imposed as a result of the banner headlines that appeared in the paper about Mahatma Gandhi's fast. The first day's headlines were, it was said, excusable. The second day's headlines were considered to be an offence. On the top of it the allegation was the omission in the correspondence between Gandhiji and Government of a sentence which was considered absolutely important. Sir, one does not feel that there was anything in the paper against which action could be taken by the Government. Restrictions are still there, nothing has been done to remove them though the circumstances to meet which they were imposed have ceased to exist. That is the whole position. I would like to ask the Government to consider how and whether that relationship with the Press is going to be changed. I believe the Government can do it. It is true Government has opportunities of dealing with Editors themselves and they can, therefore, come to some agreement whenever there is a dispute. Then comes another important question and here I would like to add one more instance and it is this: Telephone orders were sent to the *Hindustan Times* just after the resignation of three gentlemen who were Honourable Members of this House and used to sit on the Treasury Benches not to publish their photographs in the paper by the Assistant Press Adviser. I would like the Honourable the Home Member to tell us if that was a fact.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member's time is up.

Mr. T. T. Krishnamachari: I would in conclusion try to impress on the Government need to realise the difficulties of the press acting under such

restrictions. In part the situation could be improved by making the Press a Central subject during the period of the war. I say this not because of the excessive confidence that we have in the Central Government but because the whole scheme has been put into operation because of war and in the name of war effort. During the duration of that war it is only right that the Central Government should take up the handling of all questions relating to the press, so that there may be some standardisation and some settled place to which every Editor could go to represent his grievances. I hope I would receive an answer from the Honourable the Home Member which would be satisfactory to the Press and the public. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Cut motion moved:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

The Honourable Sir Reginald Maxwell: Sir, the Honourable the Mover has dealt with this motion in what I may venture to call extremely reasonable terms and there is very little in the speech, almost from the first to the last, with which I or Government can reasonably disagree. The only thing that surprises me is that he should have thought it necessary to move a motion of this kind to censure the attitude of the Government towards the Press.

(Here the Mover made some observations about the purpose of the cut.)

I understood that it was a token cut. But the token was intended to be a token of displeasure at the attitude of Government towards the Press. But still it is difficult for me to understand it, because, if there is one thing for which I have worked hard ever since the Delhi agreement of 1940, it was to improve the relations between Government and the Press, to make their consultative arrangements more adequate and to give the Press opportunities of putting their difficulties before Government personally rather than carrying on a long distance barrage.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

And I was under the impression that I had been to a large extent successful. I do not myself think that there has been any period during my association with this matter at which on the whole the relations between Government and the Press have been more promising than they are now. I admit there are occasional tiffs, but the House must remember that in tackling this matter we have had to face rather unfamiliar ground. There are very strong influences urging the Press in certain directions: Government at the same time have very difficult and very important objects to watch. According to the terms of the Delhi Agreement, whenever there was occasion for disagreement on some matter or other I can honestly say that I have always done my best to hear the newspaper Editors, to consult with them and consider their point of view and to put it to the Provincial Governments; and to a very large extent we in the Home Department have been successful in obtaining recognition of that point of view. It must be remembered and I hope the House will always remember in discussing this subject that newspapers and the Press are a subject in the concurrent legislative list. That means that although both the

4 P.M.

Central and the Provincial Governments have power to legislate on matters concerning the Press, the whole administrative authority in dealing with the Press rests with the Provincial Governments and it is impossible to expect the Central Government to take a matter of that kind entirely out of the hands of the Provinces. The Provinces have their own problems to consider and in many of them circumstances differ entirely from those in others. Some Provinces have a Press which is predominantly friendly or open to suggestion. Other Provinces have not. Some Provinces again have Ministries, others have not. Where you have a Province governed by its own representative Ministers elected by the people of the Province, it is extremely difficult to impose a particular point of view on them from the Centre. Therefore, I hope the House will remember that the Home Department in dealing with a subject like this

[Sir Reginald Maxwell.]

has only a qualified part to play. We ourselves have tried to adopt this policy, namely, that in matters of all India concern, we endeavour to place certain objectives before the Provinces, certain objects which it is desirable to secure in their dealings with the Press, but we leave it to the Provinces to decide for themselves in the light of their own relations with the Press, how those objects can best be achieved. But one thing on which we have always insisted so far as it was in our power to do so and that was that the objects in view should be attained wherever possible by voluntary agreement with the Press. I am glad to tell the House that that has actually been the case to a very large extent, ever since the Delhi Agreement of 1940. The restrictions which have been complained of have related mainly to factual news about particular sorts of events in regard to which the Government of India were directly interested from an all-India point of view, or occasionally the Provinces were interested from a purely Provincial point of view. But editorial comment has from the first been, I think, entirely without restriction. I am not quite sure what partial restrictions, may exist in a few Provinces, chiefly the Ministerial ones, but generally speaking, ever since the Delhi Agreement the principle adopted in regard to Editorial comment was that it was quite free, but that if any individual newspaper published something in its editorial columns which was considered to be definitely improper or dangerous from the all India point of view, then action was taken against that paper alone.

The Honourable Member has quoted the case of the *Hindustan Times* in particular. That, I am afraid was one of the newspapers as I explained to the House earlier in this Session, from which we failed to obtain the desired co-operation.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): May I bring to the notice of the Honourable Member that some items of news published in English newspapers is not permissible so far as Urdu papers are concerned.

The Honourable Sir Reginald Maxwell: I was not aware of that. If the Honourable Member will give me instances, I will look into them.

Maulana Zafar Ali Khan: I will collect information later on and submit it to the Government.

The Honourable Sir Reginald Maxwell: I have already explained the whole history of the *Hindustan Times* at some length to this House earlier in this Session and I do not think it is necessary to go into the whole matter again. But I would say that I should be extremely surprised to learn that there was any truth in this alleged telephone message about the publication of photographs of my erstwhile Honourable colleague, and considering the fact that almost day by day, the *Hindustan Times* cartoonist reproduces our lineaments with more or less recognisability, I should have said that that was a complete reply to the Honourable Member's suggestion.

Sir F. E. James: Is it not possible that on this occasion at least it was the *Hindustan Times* whose leg was pulled. I believe the telephone message was a hoax.

The Honourable Sir Reginald Maxwell: I have heard of such things happening sometimes to other members of the public. I should not be at all surprised if someone conceived the idea of hoaxing the *Hindustan Times*, though I should have thought that a responsible paper of that kind would have been proof against such a thing.

The present position in regard to newspaper editors is this. In their plenary session of the all India Newspaper Editors' conference at Bombay they passed a resolution dated 5th October, 1942. The Editors, while protesting against certain measures of precensorship or measures equivalent to precensorship which were enforced before, agreed that the Press should voluntarily exercise restraint in regard to the publication of accounts of incidents relating to mass disturbances and that they should also avoid the publication of anything which

offended against certain principles, a, b, c, d and e, which they stated in their resolution and which were the very principles of which the Government wished to secure observance. That resolution was a definite step on the part of the all-India Editors to meet the Government point of view and the Government of India responded to it at once. They put that resolution to the Provinces and suggested that the Provinces should consider it favourably. As a result practically all the Provinces, I think all except one, accepted the resolution in the spirit in which it was offered and from that day onwards there have been no statutory restrictions imposed on the Press except in certain individual cases or relating to particular incidents. I think the House will agree with me that that on the whole is a very satisfactory situation and that it does not indicate any real breach between the Government and the Editors, and so long as that kind of co-operation is forthcoming, we shall do our best to welcome it and to meet it. That is all I have to say in regard to this motion.

Mr. President (The Honourable Sir Abdur Rahim): The question is, "That the demand under the head 'Executive Council' be reduced by Rs. 100." The motion was negatived.

Dearness Allowance.

Mr. Jamnadas M. Mehta: Sir, I move:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

Sir, as most Departments are not paying dearness allowance to their employees, this cut motion is moved against the Executive Council Demand. Sir, the question of dearness allowance is very simple and very serious. So far as I can recollect, having read the 1931 census figures, I can say that the number of people dependent on public services, like the Central and the Provincial Governments, Municipalities, Local Boards, Improvement Trusts and Port Trusts and other statutory bodies, the number of people dependent on their livelihood on these bodies including their families was one crore and fifty lakhs. How much that number has increased during the last ten years, I have not yet been able to ascertain from the figures of last census. But I can. If the figures that I have quoted from the 1931 Census' perusal are reliable then today the number of people who depend for their livelihood on Government or semi-Government services must be somewhere near two crores. And when it is remembered that the local bodies take their cues from the Central Government and the Provincial Government, it comes ultimately to the test whether it is the Central Government which lays down broad and generous principles or whether it does not. We have, therefore, to test whether the Central Government in this country—whether in regard to Railways, whether in regard to the Posts and Telegraphs, whether in regard to other Departments of Government—are just and reasonable to their employees in the matter of dearness allowance. Sir, I want it to be clearly understood that in making this demand for adequate dearness allowance, I am asking for no improvement in the condition of the Government employees since the 3rd of September, 1939. No improvement is urged although the standard as it existed in September, 1939, was very low. I have accepted that as a starting point and only demand that to the extent that the rise in the cost of living has deteriorated and lowered the standard it should be rectified and made good. Therefore, I am asking for no improvement, no minimum wage. Only take the standard that existed on the 3rd of September, 1939, and in the words of the Rao Committee "wherever the poorest are concerned, the compensation should be full"—that is what I am asking also.

Now, Sir, let us see what is the cost of living and what is the rise in the dearness allowance or wages which the Government has given. The pre-war wheat prices were somewhere between Rs. 2/10/- and Rs. 2/12/- per maund. Today they are anywhere between Rs. 10/- to Rs. 12 per maund. So the prices of wheat have gone up by 400 to 500 per cent. The price of rice, the next staple food article, is not even quoted even in the general index number of the cost of living but it has risen anywhere to 300 per cent. or a little more. So much as regards the staple articles of food. Others have risen more or less to the same extent.

[Mr. Jamnadas M. Mehta.]

What is it that the worker next wants? Clothing. About clothing, Sir, what was costing Rs. 2/8/- to manufacture is now sold at nearly Rs. 7 wholesale, and how much the retail price of it is only the last consumer can say. There also the prices have risen from nearly 275 per cent. to 325 per cent.

About housing, Sir,—because food, clothing and shelter for the worker are all the things that I am asking for; I am asking for no luxury; I am asking for no amenities excepting barest necessities—what is the cost of housing? The cost of housing is that where it used to cost annas eight per month, it is now costing somewhere near Rs. 6, 7 or even more. Therefore, if you take the average of the cost of food, clothing and shelter, the cost of living has risen on the whole to 600 to 700 per cent.

As against that what is the dearness allowance which the Government have given? In this respect I must say that some of the private employers are, at any rate, more alive to the needs of the situation. In the Labour Conferences, which the Honourable Dr. Ambedkar has been holding, the minutes will show that one employers' representative admitted that the workers should get the pre-war standard. And, at any rate, so far as the Bombay Millowners, the Tatas and some of the Delhi employers are concerned, it must be said that they are trying to live up to the ideal of pre-war standards. But what is it that the Government have done? As against that rise from 600 to 700 per cent., or the all-round rise which is given at 225 per cent., what is the rise in the dearness allowance which Government have given? May I say, Sir, that the rise nowhere exceeds 60 per cent. and falls short of even 10 per cent. in many cases. So the average rise which the Government have given to their employees is not more than 30 per cent. at the best, as against a rise up to 225 per cent. in the general standard or a rise of 600 per cent. in the price of food, clothing and shelter alone.

Now, I ask the Government, is there any relation between the two: namely, that the cost of living should rise to 225 per cent. and the dearness allowance to be given would be not more than 30 per cent. on an average. I ask the House to lay their hands on their hearts and find out whether what I am asking is fair or not—only four annas in the rupee. I am asking for no luxury; I am asking for no cinema; I am asking for no kind of amenities. What I am asking for is the barest necessity. Is Government justified in their attitude of refusal? On the one hand the Essential Services Ordinance and other war-time legislation pins down the worker to the job in which he is engaged. He cannot leave it, he cannot change it, he cannot remain absent, he cannot resign, he is to continue there on the pain of being very seriously dealt with in a penal manner even to the extent of losing his entire Provident Fund that he might have to his credit and exposing himself to other penalties, while on the other hand the Government are not bound to compensate him to the extent of even four annas in the rupee in the cost of living.

I find, Sir, that many officers are attending races in Bombay, Delhi and Poona—almost everywhere whenever there is a race. Their wives are moving in motor cars with two lap-dogs; they go to dances and dinners, while these wastages, these luxuries, this open extravagant living is going on in Delhi, Bombay and elsewhere, workers are expected to starve and let remain pinned down to their jobs. The Honourable the War Transport Member paid heaps of compliments to the Railways workers during his Budget speech, but when it came to giving them food, shelter and clothing, he has very cleverly retired. The same is the case of Posts and Telegraphs employees, the same is the case of sepoy and chaprasis whether in this city or elsewhere.

Now, Sir, the question, therefore, that arises is this: I think in the last two years the Railways have poured into general revenues, railway reserves and so called depreciation fund something like 120 crores of rupees. The Postal Department has done the same on a smaller scale. The public utility concerns are made to pay crores into the general revenues of the country while the poor

worker, who makes the huge incomes possible, who makes your war machine go on, who works long hours day and night, is not being allowed even to make both ends meet. I ask, Sir, in the name of humanity, in the name of fairness and commonsense, in the name of the war effort, that a Government which deny to their workers, who are making the war machine go on, the elementaries of human existence, are the biggest fifth columnists. It is not that there are fifth columnists outside the Government but in the departments of Government which deny to their employees the barest necessities of life. When I see these gentlemen in dance rooms and at dinners and their wives with their lap dogs the sight presented to me is so atrocious that my blood boils at the neglect of the humble man who works for the war machine and these people enjoy without any regard for the worker's families and children. The cost of fuel has gone up so many times that even if they get food how are they to cook it. Humanity seems to have left the Treasury Benches. Otherwise I cannot understand this sight of waste, extravagance, inefficiency, corruption and incapability in a thousand forms on the one hand going on in Government and the honest, loyal, hard-working employees of the Government starving. I ask the conscience of the Government to awaken. The Honourable the Railway Member has announced with a flourish of trumpets that he is feeding five lakhs of people. I challenge him to prove that on the floor of the House. There are six lakhs of railway workers. They have got families say each of three or four. The railway population in this country is 25 lakhs of people. I respectfully invite him to say on the floor of the House that he is feeding even five lakhs. What is he doing? He is offering wheat in some places, rice in other places. In some places there are empty shops, or shops without commodities. He does not supply everything. What is the need of publishing and informing an ignorant House and publishing in the papers that the Railway Board is feeding five lakhs. It is an absolute mis-statement. It is incorrect. It is most misleading, and it is, therefore, heartbreaking. He might be giving wheat in one place and rice in another but it is entirely wrong to say that he is feeding the population of the railways. There are shops without foodgrains. He does not send cloth. He cannot give shelter. Not 10 per cent. of the railway workers have got homes where they can live. What is the use of misleading the public? What is the use of publishing a statement which cannot bear the light of day? And what is he prepared to offer against a rise of 125 per cent.? What is he offering to the poor man? It is not more than an average of 30 per cent. Let him not boast of this. It is an entirely unjustified and unwarranted statement which will not be swallowed by the public. Even when he gave a dearness allowances, the availability of the food is so scarce and the price so heavy that the worker cannot get anything. If the workers take the law into their own hands, if the hungry millions revolt, if they rob so as to get some food, the fault will not be theirs but that of the Treasury Benches who are living in a world of their own. They think like the philosopher of Dickens. That gentleman wanted to see how long a horse could live on nothing. So he gave it a sheaf of hay one day: the next day three-quarters; the next day half; on the last day he gave one blade. And the horse was alive and he was going to announce to an astonished world how a horse could live on nothing. But to his great horror the horse died the next day. This worker is being placed by the Treasury Benches in the same position and there are these experimental philosophers who want to see how little the worker can live on in a day. They are living. They are alive. They are existing. They are existing miserably. I get telegrams about starving miserably. Poor fellows, not knowing proper English, they think a man can starve gloriously. Only a Mahatma can do that! Everybody must starve miserably. Of such telegrams, I can show you scores upon scores of them to Government. So from all points of view the situation is very disheartening. The workers are being exploited. The Government have become the biggest sweating machine for the purpose of talking

[Mr. Jamnadas M. Mehta.]

of humanity, peace and international goodwill, and in actual fact starving the men who are loyal to them, who have stood with them. Now they are starving them with their eyes open with the full knowledge that they are starving them and misleading an ignorant world. The workers are in their helplessness daily whispering their prayers to God, and their requests to Government, but I find that up to now no relief has been forthcoming. The Honourable the Railway Member's figures are most misleading. What is true of railways is true of Posts and Telegraphs, of the chaprassis in the Customs, the Salt, Income-Tax and others. Altogether there are two crores of such workers and their dependents who are living a miserable existence while governmental officers are living a life of pre-war luxury and laughing and enjoying at the cost of these poor men. I say, Sir the House should not tolerate this inhumanity, this injustice, this rank ingratitude to the people who are making your war machine go on.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

Mr. Jamnadas M. Mehta: I could go on *ad infinitum*, but I have to observe the time-limit. I will not occupy the time of the House any more except to say that the House owes it to these two crores of people that they should get at least a bare subsistence, bread, if not butter and jam, and clothing. A chaprassi met me the other day and showed me that his coat had nearly ten patches. So I beg the House to carry this motion and teach the Government a lesson.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved: "That the demand under the head 'Executive Council' be reduced by Rs. 100."

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): I thought that the Honourable Member had been advocating the cause of those who were entirely or almost unemployed. But he has taken up the cause of those who have at least some support. I do not like to stand in his way, but he should have given the amount of dearness allowance as provided under the different heads. Speaking subject to correction, I gathered that in the general revenues about 167 lakhs of rupees had been provided for dearness allowance excepting the Posts and Telegraphs and the Railways; and that arrangements had been made to provide foodstuffs for railway employees by running trains. . . .

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member speak up? If the Honourable Member wishes to come down nearer, he can do so; it will be better.

Maulvi Muhammad Abdul Ghani: I shall speak from here. I am submitting that some sort of relief has been provided for those employees whose cause my Honourable friend has taken up. Arrangements have been made to supply them with foodstuffs at cheaper rates than those at which the outside poor public can get them. The Honourable Railway Member said the other day that they were running shops for the railway employees. I do not stand in the way of giving more dearness allowances to the poor employees, but the Government should have come forward with a certain amount at least for those who are starving, who have got no means of employment and for whom there is no facility to get any foodstuffs or necessities of life at all: no arrangement is being made for them; and the control system is also standing in their way. I urge their case: if not at present, at least by some supplementary demand the Government should provide some amount to help the poor starving public. . . .

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Is this in order, Sir? It is unemployment he is dealing with.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member is really straying from the motion.

Dr. Sir Zia Uddin Ahmad: Sir, I just want to draw the Honourable Member's attention to one or two points. In one of the documents supplied to us, it was published as a footnote—they have worked out certain formulae by means of

which they calculate the quantum of the dearness allowance applicable to different towns. I wish these formulae may be supplied to us—at least to those who are interested in it—because we should like to know the basis of calculation; and it will help other employers to calculate in a similar manner.

I should like also to point out that though dearness allowance is a great relief, it is not sufficient compared with the prevailing prices. I pointed out the other day that the price of a rupee according to the official documents has been reduced to 6 1/4 annas. . . .

Mr. Jamnadas M. Mehta: The purchasing power of the rupee.

Dr. Sir Zia Uddin Ahmad: I say the purchasing power of the rupee is reduced to 6 1/4 annas; and though relief is given to employees who are drawing salaries up to Rs. 60, the persons who are really in great difficulty are the middle class people whose income is between Rs. 100 and Rs. 200. They also suffer a good deal on account of the reduction in the purchasing power of the rupee; and if we can see and examine the formulae on the basis of which the Government have fixed these limits I think it will be a very great help to us to discuss this matter; they may be applied to all servants whose salaries may be more than Rs. 60 and also to determine whether the present rates of dearness allowance is enough for those drawing Rs. 60 or less.

I also pointed out on the previous occasion that the Government of India have entirely ignored the very large numbers who are employed not directly by the Government but by institutions which are supported partially or mainly by the Government, like educational institutions who receive grants from the Government of India and on the basis of those grants they prepare their budget. As soon as the Government gives a dearness allowance, there is also a demand in those institutions, and no institution can refuse to give a dearness allowance to their own employees when it has been sanctioned by the Government of India. The Provincial Governments no doubt have also followed the example of the Government of India; but they have given dearness allowance only to those who are directly in their service, disregarding entirely those employed by institutions partially maintained by Government. I would, therefore, request the Honourable Member to set aside in his budget in a supplementary grant some amount of money for this purpose also. Institutions supported by the Government should receive special grants of dearness allowance. Rules may be framed by the Finance Department on certain principles; if the Government is giving 50 per cent. of the total expenditure, then the grant to these institutions should also be 50 per cent. of what the Government of India allow to their own servants. Therefore, some formula may be found and worked out by the Finance Department; but I request the Honourable the Finance Member to accept the principle that the institutions now supported by and receiving grants from the Government should receive some benefit and should not be debarred from the benefit which the Government of India is graciously giving to their own servants.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, with regard to the remarks made by my Honourable friend, Mr. Jamnadas Mehta, regarding the supply of foodstuffs to railway workers, I feel that I should say something. I do not remember whether my Honourable friend was in the House at the time when I answered the question to which he referred but I then stated so far as I remember the phraseology, that 5,00,000 railway workers were within the scope of the railway shops. These figures were based on returns secured from the railways, and I believe them to be correct. It does not necessarily follow that all those workers are at present taking food supplies from these shops, one of the reasons being, as every industrial employer knows, that it is very difficult for the railway worker or any other worker to get himself out of the clutches of the dealer who supplies him with credit for his purchases. Nor do I pretend for a moment that the arrangements regarding the supply of foodstuffs and other necessities of life are at all satisfactory yet. I never have pretended that. I made that perfectly clear in my Budget speech and that is the position today. But if you examine the conditions on the N. W. R.

[Sir Edward Benthall.]

for one moment, I think it is correct to say that on the N. W. R. all workers can get wheat at Rs. 6-10 against a market price which has been as high as Rs. 12-8.

Mr. Jamnadas M. Mehta: Three times the pre-war price.

The Honourable Sir Edward Benthall: It has been more than three times the pre-war price. The price of wheat pre-war was, I believe, Rs. 2-10-0, and Government has paid, I think I am right in saying, up to Rs. 12-8-0. But the railway fixed the price of wheat at Rs. 6-10-0 and it is still selling wheat at Rs. 6-10-0.

Pandit Nilakantha Das: May I know if they are allowed to purchase for their family and dependants out of this stock at this rate?

The Honourable Sir Edward Benthall: I cannot remember without notice exactly what the conditions are on the N. W. R., but they vary throughout the railway. Each of them started their own scheme independently, and they allow different quantities on different railways. That is one of the difficulties we are up against. We have to get some uniformity so far as we can throughout the different railways, and we are trying to see that an equal measure of justice is done throughout the different railways.

Mr. Jamnadas M. Mehta: Is it a fact that on the N. W. R. the price of wheat is three times the pre-war price of wheat?

The Honourable Sir Edward Benthall: That railway is selling at Rs. 6-10-0 against a pre-war price of. . .

Mr. Jamnadas M. Mehta: Rs. 2-10-0.

The Honourable Sir Edward Benthall: Yes.

Mr. Jamnadas M. Mehta: And the increase in dearness allowance is 30 per cent. against a rise of 300 per cent. That is all I wanted to know.

The Honourable Sir Edward Benthall: The price on the N. W. R. is Rs. 6-10-0, and that price is fixed at Rs. 6-10-0 so that the railway will have to pay Government some price up to Rs. 12-8-0, an average perhaps of Rs. 10 or 11, and on each maund of wheat the railway will be subsidising the railway worker to the extent of Rs. 3-8-0 or Rs. 4-8-0. That is a very substantial benefit to the railway worker and that is a policy which we propose to continue—to stabilise the cost of living to the worker in order to alleviate his hardships in the future. A point that was made again was about travelling vans. I do not want to pretend that travelling vans are running on all the railways or that men living in gang huts are at present everywhere getting the benefits of stabilised food prices. That is not so. That again takes considerable time to organise, but I have seen these travelling vans operating on the railways, and I think it is the only way in which an equitable distribution can be provided to workers in outlying places. It is the intention, it is the policy of the railways to extend the use of the travelling vans, and to bring. . .

Maulana Zafar Ali Khan: Are all the members of the Indian Railway Employees' Federation, including its President, entitled to this concession?

Mr. Jamnadas M. Mehta: I am not entitled.

The Honourable Sir Jeremy Raisman: Any lap dogs?

Mr. Jamnadas M. Mehta: Not even an ordinary dog.

The Honourable Sir Edward Benthall: Well, it is the intention to bring these benefits to the door of every employee on the railway regardless of what salary he is getting. It is the intention also to extend it to cloth. Mr. Jamnadas Mehta referred to the fact that certain employers are giving extensive benefits to their employees. That is true, and the result of it is the enormous price of cloth to which he referred. It seems to me that that was a very good illustration of what we should not do. We should enable our workers to be clothed at reasonable prices. It is to the best interests of the worker in the country that we should endeavour to stabilise their prices. This policy to which I am referring has the support of a great number of wise employers in the country and I

am perfectly certain, as I said in my Budget speech, that in the long run this policy of stabilising cost of living is in the best interests of the worker. I do not pretend, as I have said twice already, that what we are doing on the railways is yet satisfactory. We are more or less at the beginning of implementing a policy. I am equally aware of the feeling of the railway people about the present position. I get a large number of telegrams in just the same way as Mr. Jamnadas Mehta gets them. Very often the telegrams are duplicated to both of us. I am perfectly conscious of what the railwaymen feel at the present time. But, believing as I do that stabilisation of prices of their foodstuffs and other necessities of life is in the best interests of the railwaymen, I feel that having formed that policy we should continue it as being the policy in the best interests of the workers.

The Honourable Sir Jeremy Raisman: My Honourable Colleague has dealt with a good deal of what Mr. Jamnadas Mehta said in the course of his speech on this motion. I believe that Mr. Jamnadas Mehta was primarily interested in the cause of the railway employees. I think that, although Maulvi Abdul Ghani's remarks appeared to many not to be strictly relevant to the motion, they were from my point of view exceedingly relevant indeed. Maulvi Abdul Ghani talked about dearness allowance for the general population, and that is exactly the point. In other words, I would put it this way. What about a dearness allowance for the taxpayer?—that is what it amounts to, and in that case we shall all be trying to hitch ourselves up by means of our boots. It seems to me that a good deal of the logic of what he said about dearness allowance moves in that direction.

Sir F. E. James: Better join the Federation!

The Honourable Sir Jeremy Raisman: There is one little matter about which I feel that I cannot allow Mr. Jamnadas Mehta to go entirely unscathed and that is, his use of figures. Fortunately I caught his eye at one moment when I thought he was getting away with it, when he was talking of 225 per cent. rise on the one hand and 30 per cent. dearness allowance on the other. He also bandied about a good few more percentages in that way. He is very skilful at presenting a somewhat harrowing picture. In my opinion, the hardships to which all those of limited means including Government servants are subjected at the present moment are sufficiently serious without being made the subject of the type of eloquence in which my Honourable friend indulged. Government are fully and deeply conscious of the difficulties to which not only their own servants but other members of the general population are subject. Now, Mr. Jamnadas Mehta mentioned food, shelter and clothing and he talked of a chaprasi with a patched coat. Speaking of Government servants and particularly those of the lowest class on whose behalf Mr. Jamnadas Mehta, I trust, was particularly concerned, I would like to point out that Government does provide a good deal of shelter and that it also provides a good deal of clothing and when he talks of dearness allowance as being

Mr. Jamnadas M. Mehta: What percentage?

The Honourable Sir Jeremy Raisman: 30 per cent. as against an increase of 125 per cent., he ought not in fairness, in presenting his case, to exclude those elements which Government already provide. For instance, in this town of Delhi, we are involved in very heavy expenditure in providing housing for our own menials. Very large sums are being spent on them. Does that have nothing whatever to do with the question of dearness allowance? As a matter of fact, the attitude and policy of Government is, as far as possible, to try and deal with this matter, not by handing out more and more money but by trying to tackle the thing in some more fundamental way. Mr. Jamnadas Mehta handed a medal to private employees who generously paid dearness allowances and bonuses. As he very well knows, they are doing it very largely at the expense of the general revenues and to that extent they indulge in a form of economic sabotage. They make the problem more difficult for us, while they remove some of the means whereby we might tackle it. I am entirely opposed to that lighthearted

[Sir Jeremy Raisman.]

method of dealing with a problem which is fundamental to the whole economic situation.

Mr. Jamnadas M. Mehta: You want to starve them?

The Honourable Sir Jeremy Raisman: I do not think the alternative is to starve them. Mr. Jamnadas Mehta is as well aware as I am that there are many degrees of difference between a completely uncontrolled dealing with the problem and an attempt to check undesirable tendencies and, whilst doing what is necessary, we must avoid it rebounding with several times multiplied force on the unfortunate community. That is the essence of the matter. Government are fully aware of the seriousness of this problem. They are aware of the seriousness of it not merely from the point of view of the individual Government employee but they are constantly conscious of the seriousness of it for the whole economy of the country and we are bound to have all aspects of the matter in mind in dealing with the question. That is why we cannot lightly adopt any automatic formula which might completely run away with us. We cannot exclude certain factors which may mitigate the hardships of individuals and in particular we must always concentrate as far as possible on alternative methods of action—alternative to the additional supply of purchasing power. We must concentrate on alternatives which will have a less unfavourable effect on the community at large and on the economic position.

Mr. President (The Honourable Sir Abdur Rahim): The question is: ...

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): I do not think there is time now for any other motion to be moved.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 9th March, 1943.

LEGISLATIVE ASSEMBLY

Tuesday, 9th March, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven o'clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Mr. Geoffrey Stephen Bozman, C.I.E., M.L.A. (Secretary, Indian Overseas Department).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

PROPERTY CONFISCATED IN SIND UNDER MARTIAL LAW.

260. *Kunwer Hajee Ismaiel Alikhan: (a) Will the War Secretary kindly give the total approximate value of movable and immovable property confiscated in the Sind Province under the Martial Law?

(b) What is the value of such property of the Hur Leader known as Pir Pagaro?

Mr. C. M. Trivedi: (a) The required information is not available here, but if it can be collected without undue expenditure of time and labour, I will lay it on the table in due course.

(b) Property, bullion and cash to the extent of Rs. 3.86 lakhs.

Mr. Lalchand Navalrai: May I know if the property other than that of Pir Pagaro and the real Hurs has also been confiscated in Sind?

Mr. C. M. Trivedi: Yes, Sir.

Mr. Lalchand Navalrai: Has it been confiscated under the martial law?

Mr. C. M. Trivedi: Yes, Sir.

Mr. Lalchand Navalrai: Will the Honourable Member give me the details of it?

Mr. C. M. Trivedi: I have said that the required information is not available here, but if it can be collected without undue expenditure of time and labour, I will lay it on the table in due course.

Mr. Lalchand Navalrai: Why is it that the confiscation has taken place of the property of civil people also when the martial law is intended for the Hurs only?

Mr. C. M. Trivedi: I understood the Honourable Member to ask me whether besides the property of the Pir Pagaro any other property was confiscated and I said 'Yes'.

Mr. Lalchand Navalrai: But why has the property of the civil population been confiscated?

Mr. C. M. Trivedi: I think I misunderstood the Honourable Member. As far as I am aware, the property of persons other than the Hurs has not been confiscated.

Mr. H. A. Sathar H. Essak Sait: With reference to the answer to part (b) of the question, my Honourable friend said that the property was worth 3.86 lakhs. Was it only in bullion and money or does it include the landed property also?

Mr. C. M. Trivedi: It does not include landed property as far as I am aware.

Maulvi Muhammad Abdul Ghani: What is the worth of the landed property?

Mr. C. M. Trivedi: I do not know.

Mr. H. A. Sathar H. Essak Sait: Has that been confiscated?

Mr. C. M. Trivedi: Not as far as I am aware.

Dr. Sir Zia Uddin Ahmad: With reference to the figure of Rs. 3·86 lakhs mentioned by the Honourable Member, does it include the value of the treasure recently unearthed as was reported in the papers?

Mr. C. M. Trivedi: I think it does as far as I am aware.

Mr. Lalchand Navarai: Is it a fact that the Pir Pagaro's palaces have been razed to the ground?

Mr. C. M. Trivedi: Yes, one has been razed to the ground.

Maulvi Syed Murtuza Sahib Bahadur: May I ask how much property was demolished?

Mr. C. M. Trivedi: I have not the details with me.

Sardar Sant Singh: May I ask the reasons why the Government razed the palace of Pir Pagaro down? Is that in the spirit of vindictiveness or is it in the spirit of justice?

Mr. C. M. Trivedi: It is not in the spirit of vindictiveness.

Sardar Sant Singh: Then what are the reasons for razing the palace to the ground?

Mr. C. M. Trivedi: The palace was a visible symbol of Pir's authority.

Sardar Sant Singh: Does the Government hold that the visible symbols of old monarchy are to be razed to the ground?

Mr. C. M. Trivedi: It was used as a fortress for holding lethal weapons and ammunition.

Sardar Sant Singh: Were any weapons discovered in that building?

Mr. C. M. Trivedi: Yes, Sir.

Sardar Sant Singh: What was the nature of those weapons which were discovered?

Mr. C. M. Trivedi: They were lethal weapons.

Sardar Sant Singh: You mean to say *dhaus* and *soties*, or anything else?

Mr. C. M. Trivedi: The meaning of "lethal weapons" will be found in the dictionary.

Hajee Chowdhury Muhammad Ismail Khan: May I know what is the annual income of landed property which has been confiscated?

Mr. C. M. Trivedi: I said that so far as I am aware landed property was not confiscated.

Maulvi Muhammad Abdul Ghani: Are Government aware that all this property—landed and bullion—is held by the Pir Pagaro under a trust on behalf of the Mussalmans of India?

Mr. C. M. Trivedi: I am not aware of that.

Maulvi Muhammad Abdul Ghani: Do Government propose to make inquiries into this matter?

(No answer.)

Dr. Sir Zia Uddin Ahmad: May I ask whether the property confiscated belonged to the Pir Pagaro personally or whether it belonged to the Mussalmans?

Mr. C. M. Trivedi: I want notice of that question.

THE NEW INDIAN STANDARD TIME.

+261. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable the Home Member please state the circumstances which led to the adoption of the new time in India whereby the standard time was advanced by one hour, and how long it is to be continued?

(b) What have been the advantages to Government?

(c) Does he propose to consider the desirability of reverting to the old standard time? If not, why not?

The Honourable Sir Reginald Maxwell: (a) and (b). The Honourable Member's attention is invited to the reply given to a similar question No. 189 put by Qazi Muhammad Ahmad Kazmi on the 25th February, 1943.

(c) The question whether the present Indian Standard Time should be changed during summer or not is under consideration.

LANDS AND CROPS SEIZED UNDER DEFENCE OF INDIA RULES IN SIND AIR FIELDS.

262. *Mr. Lalchand Navalrai: (a) Will the War Secretary be pleased to state if any lands and crops were seized under the Defence of India Rules in the Nawabshah District and other air fields in Sind?

(b) If the answer to (a) be in the affirmative, when and where were the lands and crops seized, and of which area?

(c) Has any compensation for damages been awarded to the owners of the lands and crops? If so, how much, and for what areas?

(d) Have the owners made any applications for compensation for damages? If so, which of them, and has anything been awarded to them? If not, why not?

(e) Is it a fact that for the very lands and the crops thereon, notices for payment of land revenue have been issued by the local Government to the owners? If so, what arrangement has the Government of India made to see that assessments are not levied for the lands and the crops seized by Government?

(f) Is it a fact that further works on the said lands have been suspended by Government? If so, were the owners given any previous notice to grow fresh crops on those lands? If not, why not? Do Government propose to take steps to meet the demands of these land-owners?

Mr. C. M. Trivedi: (a) to (f). The information asked for by the Honourable Member is being collected and will be laid on the table in due course.

THE NEW INDIAN STANDARD TIME.

263. *Bhai Parma Nand: Will the Honourable the Home Member be pleased to state:

(a) the reasons which led Government to advance the time by one hour;

(b) whether one of the reasons was to save electricity by utilising as much of daylight as possible in office or factory, if so, what saving in the consumption of electricity has been effected by the Central Government since the adoption of the new time;

(c) whether the scheme has been welcomed by the staff, specially the Indian staff, and the public;

(d) whether Government have received any representations of protest in this connection; if so, from whom;

(e) whether Government are prepared to review the position by considering the *pros* and *cons* of the scheme in the light of the experience gained by them and the Provincial Governments; if so, when; and

(f) how long Government propose to enforce the new time?

The Honourable Sir Reginald Maxwell: (a), (b), (e) and (f). The Honourable Member's attention is invited to the reply given to a question already put by Mr. Chattopadhyaya on the same subject. Since one of the objects underlying the change was the avoidance of an overload and not the saving of electricity by a reduction in consumption, the latter part of clause (b) of the question does not arise.

(c) Government have no information to that effect.

(d) No.

Dr. Sir Zia Uddin Ahmad: May I ask whether the Government are contemplating to go back to the old time?

The Honourable Sir Reginald Maxwell: The matter is under consideration.

GRADUATE ENGINEERS AS SUBORDINATES IN MILITARY ENGINEERING SERVICE.

264. *Mr. M. Ghiasuddin: (a) Will the War Secretary please state the names, qualifications and pay of graduate Engineers working as temporary or permanent Subordinates in the Military Engineering Service with foreign University qualifications, and since when they are employed?

(b) Is it a fact that the promotion of such subordinates to officer's rank is regulated purely by seniority and not by merit which is against the practice of other branches and Departments?

(c) Is it a fact that these temporary Subordinates (Sub-Divisional Officers) are considered junior to permanent Sub-Subordinates (Overseers) in making promotions? If so, why?

(d) Is it a fact that many Engineers have been recruited from outside as officers in the Military Engineering Service, but the authorities have been quite unsympathetic to the aspirations of such qualified men in the Department?

(e) What is the number of those qualified Subordinates who have been promoted to officer's rank during the War?

(f) Why is preference not given to the qualified departmental Subordinates in making promotions over the unqualified individuals of the same rank or in recruitment of qualified candidates from outside?

(g) Do Government propose to consider the desirability of giving promotion to the departmental men also in order to remove discontent?

Mr. C. M. Trivedi: (a) The information required is not readily available and its collection would involve an amount of time and labour which would not be justified in war time.

(b) The promotion of subordinates to gazetted officers status is made by selection on merit.

(c) No distinction is made between purely temporary S. D. Os. and permanent overseers employed as temporary S. D. Os. in selecting individuals for appointment as Assistant Engineers.

(d) The reply to the first part is in the affirmative and to the second part in the negative.

(e) 121 military and 97 civilians have been promoted to officer's rank during the war.

(f) and (g). In selecting subordinates for promotion preference is in fact given to better qualified individuals provided they are in other respects suitable.

AUTHORITY FOR REDUCING PAY OR RANK OF OFFICER WHEN DECLARED MEDICALLY FIT FOR A LOWER RANK.

265. *Mr. M. Ghiasuddin: (a) Will the War Secretary please state the authority under which the appointing authority of an officer, permanent or temporary, can reduce his pay or rank solely on account of his having been declared medically fit for 'C' category instead of 'A' or 'B' to which he belonged when entering service, although he is considered otherwise efficient?

(b) Have any instructions been issued which restrict the further advancement of such an officer? If so, does he propose to place a copy of such order on the table of the House?

(c) Is he aware that due to hard conditions and work the health of the individuals has been adversely affected during the War?

(d) Why should not the State compensate such officers for their devotion to duty in mitigating their hardships?

(e) Does he propose to consider the desirability of amending those restrictions that have been imposed on their further advancement? If not, does he propose to consider the possibility of exempting such cases from the operation of the 'Essential Services Ordinance' with a view to allowing them to better their prospects elsewhere? If not, why not?

Mr. C. M. Trivedi: (a) and (b). The pay of an army officer depends on the rank or appointment which he holds. On being placed in a medical category other than 'A', an officer can only be employed in an appointment appropriate to that category, and he draws the pay and holds the rank appropriate to that appointment. Such rank will not, however, be lower than the officer's Substantive or War Substantive Rank to which he is in any case always liable to revert. The orders of Government on this subject are contained in Army Instruction (India) No. 224 of 1941 and India Army Order No. 1000 as modified by India Army Order No. 1405 of 1941. Copies of these orders are placed in the library of the House.

(c) Yes, in a certain number of cases.

(d) An officer who is placed on a lower medical category by a Medical Board is, as I have said, always given employment when a vacancy for which he is suitable is available. Any officer for whom there is no such vacancy and whose disability is certified as attributable to military service is eligible for a disability pension.

(e) No. There can be no question of Government paying officers for duties which they are not physically capable of performing. The Essential Services Ordinance has no application in this connection since it is a fundamental condition of military service that an officer cannot resign his commission at will.

Mr. M. Ghiasuddin: With regard to part (a) is it not true that in certain cases people's health has suffered on account of the arduous duties and they have been placed in the category to which they first entered, for instance, A or B category people have been placed in C?

Mr. C. M. Trivedi: Yes, Sir, there may have been such cases.

Dr. Sir Zia Uddin Ahmad: What are the duties of officers in category C and do they get any remuneration?

Mr. C. M. Trivedi: Category C officers perform administrative or sedentary duties and they get remuneration.

INDIANS APPOINTED AS CHIEF ENGINEERS AND COMMANDERS, ROYAL ENGINEERS.

266. *Mr. M. Ghiasuddin: (a) With reference to the reply to starred question No. 276 of the 27th March, 1942, will the War Secretary please state if any Indian has been appointed to any of the appointments of Chief Engineers and Commanders, Royal Engineers, so far? If so, what are their names, qualifications and source of recruitment? If not, why has no attempt so far been made to appoint an Indian to any of these posts?

(b) Does he propose to consider the desirability of appointing some Indians permanently in the Military Engineering Service for these high jobs? If not, why not?

Mr. C. M. Trivedi: (a) No Indian has yet been appointed Chief Engineer. One Indian has so far been appointed Commander, Royal Engineers.

The name of the officer appointed is Ty/Lt.-Colonel B. S. Nag, I.E., and his qualifications are: Degree of Civil Engineering from Thomason College, Roorkee. 9½ years service in U. P. Irrigation Department as Assistant Executive Engineer and Executive Engineer.

There are no Indian officers of the I. E. who have yet sufficient service and experience to be considered for these appointments.

(b) There is no intention of appointing War Emergency commissioned officers whether Indian or British to permanent senior appointments in the M. E. S. Permanent Officers of the Indian Engineers will, if suitable, undoubtedly rise to the highest ranks in the service in due course.

Mr. Lalchand Navalrai: May I know whether there is any Indian immediately below the Chief Engineer?

Mr. C. M. Trivedi: No Sir.

Mr. Lalchand Navalrai: How many Indians are there who can aspire for that post?

Mr. C. M. Trivedi: I have not got that information. As far as I am aware the highest permanent rank obtained by an Indian officer in the Indian Engineers is that of Captain.

Sardar Sant Singh: May I know if these Chief Engineers, who are now in the Military, belong to the Military Department or whether their services were borrowed from the Civil Departments?

Mr. C. M. Trivedi: Their services were not borrowed from the Civil Departments.

Sardar Sant Singh: Is it not a fact that good many officers in the Civil Departments are quite fit to hold this post? Will they be taken, if they volunteer.

Mr. G. M. Trivedi: No, Sir. The post of Chief Engineer not only requires technical qualifications but military experience also.

Maulvi Syed Murtuza Sahib Bahadur: Is there any Indian Superintending Engineer in the Department?

Mr. G. M. Trivedi: There is no such rank as that of Superintending Engineer in the Military Engineering Service.

PROMOTION OF TECHNICAL M. T. STORE-KEEPERS TRANSFERRED TO THE INDIAN ARMY ORDNANCE CORPS.

267. *Mr. M. Ghiasuddin: (a) Is the War Secretary aware that:

- (i) technical M. T. Storekeepers of the Indian Army Ordnance Corps who were transferred from the Royal Indian Army Service Corps to the Indian Army Ordnance Corps were given clear understanding that their terms and conditions of service would remain unchanged but they have since been practically debarred from promotion to the higher grade;
- (ii) Indian Army Ordnance Corps Storemen and M. T. Storekeepers have the same duties in their respective units, but the M. T. Storekeepers have been denied promotion whereas the Indian Army Ordnance Corps Storemen have been promoted to the higher grade; and
- (iii) the new combatant storemen posted to the Indian Army Ordnance Corps Workshop Companies have to work under the M. T. Storekeepers because of their seniority and experience for training whereas they are drawing more pay than the storekeepers? Have any steps been taken to adjust their position, if so what?

(b) Has it been brought to his notice that great dissatisfaction is prevailing among the M. T. Storekeepers owing to the fact that on account of the expansion of M. T. in India, no promotion has been given to their cadre and no paid acting promotions have been given in the vacancy of seniors who have gone overseas and no scheme has been made for the uplift of the Corps?

Mr. G. M. Trivedi: (a) (i) and (ii). The terms and conditions of service of M. T. storekeepers who were transferred to the Indian Army Ordnance Corps have remained unchanged and they have not been debarred from further promotion.

(iii) Cases do occur in which Indian Army Ordnance Corps storekeepers have to work under M. T. storekeepers while the former are drawing higher rates of pay than the latter. This is due partly to the fundamental difference in their conditions of service (M. T. storekeepers being enrolled personnel while civil assistant storekeepers of the Indian Army Ordnance Corps are not) and partly because representations from the storekeepers themselves prevented amalgamation of the two categories in 1939. With the promotion of M. T. storekeepers to higher categories the position is gradually being adjusted.

(b) There has been a certain amount of dissatisfaction among M. T. storekeepers on the subject of promotion but in view of the steps which have already been taken to facilitate their promotion, Government consider that there is now little or no cause for complaint.

EMERGENCY COMMISSIONS TO INDIAN WARRANT OFFICERS OF THE INDIAN ARMY ORDNANCE CORPS.

268. *Mr. M. Ghiasuddin: With reference to the reply to starred question No. 275 of the 31st March, 1942, on the subject will the War Secretary please state if any Emergency Commissions have been given to any of the Indian Warrant Officers of the Indian Army Ordnance Corps so far? If not, how long more is it likely to take to open this Branch of the Army for appointment of Indians to Commission Rank? In case any appointments have been made, what are the names, qualifications and appointments last held by those who have been given Emergency Commission from this unit?

Mr. G. M. Trivedi: No actual promotion to emergency commissioned rank has yet been made from among Indian warrant officers of the I. A. O. C., but all ranks of the I. A. O. C. are allowed to apply for emergency commissions.

Applications from 21 persons have been forwarded so far to G. H. Q. Of these, two have been selected and are undergoing training. Their names, qualifications and appointments last held are as follows:—

(1) Harbans Singh, B.A., Punjab University, Salvage Group, Rawalpindi Arsenal.

(2) Raghbir Singh, B.A., Punjab University, 14 years Army service, joined I.A.O.C. from Military Farms in April, 1940. Active service February 1941 to December 1942. I. A. Special Certificate of Education. Q. M. S., Stores, Ordnance Mobile Workshop Company.

One warrant officer has been selected and is waiting to proceed to an Officers' Training School. He is—

Manohar Singh Nagi, I.A., Special Certificate of Education. Service in I. H. C. from June, 1939. I.A.O.C. from October, 1936. 30 months active service during the war. Clothing Group, Rawalpindi Arsenal.

Of the remainder, 14 are awaiting interview by the Selection Board and four were found unsuitable for promotion to commissioned rank at present.

Mr. M. Ghiasuddin: Why is it that they are not promoted in their own Department like Anglo-Indians? Why are Indians debarred from getting promotion?

Mr. C. M. Trivedi: They are promoted to Indian Commissioned rank in the Department. Five have been so promoted.

ARREST OF SARDAR DIWAN SINGH OF THE *Riyasat*.

269. *Sardar Sant Singh: (a) Will the Honourable the Home Member please state when Sardar Diwan Singh, Proprietor of the *Riyasat*, Delhi, was arrested? What were the reasons for his arrest?

(b) Is it a fact that he has never been a member of the Indian National Congress or has never taken any part in any political or subversive activities?

(c) Is it a fact that the Deputy Commissioner of Delhi had sent for Sardar Diwan Singh and gave him warning in regard to the tone of the articles published in his paper?

(d) Is it a fact that Sardar Diwan Singh asked the Deputy Commissioner to give that warning in writing?

(e) Is it a fact that the Deputy Commissioner took exception to this attitude of Sardar Diwan Singh and used his powers under the Defence of India Rules to get him arrested soon after the incident?

(f) Is it a fact that Sardar Diwan Singh was prosecuted and sentenced by the trial court for forging currency notes?

(g) Is it a fact that he was acquitted by the High Court on appeal?

(h) Is it a fact that the High Court passed strictures on the local authorities in regard to investigation in that case? If so, was he arrested on that account?

The Honourable Sir Reginald Maxwell: (a) Sardar Diwan Singh was arrested on August 20 1942, under Defence Rule 129, and is now detained under an order made by the Chief Commissioner, Delhi, under Defence Rule 26. He was arrested with a view to preventing him from acting in a manner prejudicial to the public safety and the maintenance of public order.

(b) I have no information regarding Sardar Diwan Singh's membership of the Indian National Congress; he is, however, known habitually to have engaged in subversive activities.

(c) Sardar Diwan Singh was called before the Central Press Advisory Committee (the Deputy Commissioner, Delhi, being present) and a warning was administered to him on the 10th August, 1942, in connection with an article which appeared in the issue of the *Riyasat* newspaper, dated June 1st, 1942.

(d) and (e). No.

(f) to (h). Sardar Diwan Singh was convicted on the 5th June, 1941 by a magistrate of the Gurgaon District and sentenced to seven years rigorous

imprisonment in a note-counterfeiting case. On appeal to the High Court at Lahore he was given the benefit of the doubt and acquitted. The suggestion that the Judge who decided the appeal passed strictures on the local authorities in regard to the investigation is almost an exact reversal of the true facts. The following sentences may be quoted from the judgment, to show its tenor:—

"Throughout the whole course of the case, the police have been the subject of attack, and I feel compelled to describe this attack as in all respects absolutely baseless and in almost all respects foolish."

The suggestion that the arrest of Sardar Diwan Singh last August was connected with his acquittal in the counterfeiting case has no basis whatever.

Sardar Sant Singh: May I know, Sir, the nature of the subversive activity and the prejudicial act which led the Government to arrest him?

The Honourable Sir Reginald Maxwell: I have ascertained the particulars myself, but I would rather not state it to the House.

Sardar Sant Singh: May I know if it is a fact that Sardar Diwan Singh was not a member of any political association so far? If the Government do not know it, do they propose to make enquiries on the point?

The Honourable Sir Reginald Maxwell: I said that I was not aware whether he was a member of the Congress or was not a member of the Congress.

Sardar Sant Singh: Of any political organisation? Will the Honourable Member make enquiries?

The Honourable Sir Reginald Maxwell: My information is that he is a member of a particular organisation. Which political organisation, I am not prepared to say at the moment.

DEMAND OF SECURITY FROM THE *Riyasat*.

270. *Sardar Sant Singh: (a) Will the Honourable the Home Member please state if it is a fact that the *Riyasat* was asked to deposit a security? If so, on what date and for what amount?

(b) When was this security of this paper forfeited?

(c) Is it a fact that after the forfeiture, a further security has been asked for? If so, what is the amount of the security?

(d) Has any fresh declaration been filed? If so, with what result?

(e) Is it a fact that Government is withholding permission for publication of the paper? If so, what are the reasons for the same?

The Honourable Sir Reginald Maxwell: (a) Security of Rs. 1,000 was required from the publisher of the *Riyasat* by an order made by the Chief Commissioner of Delhi on the 28th January, 1939 under section 7 (3) of the Indian Press (Emergency Powers) Act, 1931.

(b) This security was declared to be forfeited by an order made by the Chief Commissioner on the 25th September, 1942 under section 8 (1) of the Act. An application made to the High Court at Lahore under section 23 to set aside the order of forfeiture was dismissed on the 13th January, 1943.

(c) and (d). On the 2nd November, 1942 the publisher of the *Riyasat* addressed a letter to the District Magistrate stating that he wished to file a fresh declaration, his former declaration having automatically been annulled on the forfeiture of the security. An order was made by the District Magistrate on the 12th November, 1942 to the effect that if such a declaration was made the declarant would be required to deposit a security of Rs. 2,500 under section 9 (1) of the Indian Press (Emergency Powers) Act 1931. The publisher has made no further move towards filing a fresh declaration.

(e) No. There is nothing to prevent the publisher from re-starting the paper provided he deposits the required security.

Sardar Sant Singh: With reference to part (d) will the Honourable Member please say if the order passed on 2nd November, 1942 and that passed on 12th November, 1942 were communicated to the applicant?

The Honourable Sir Reginald Maxwell: I have no precise information to that effect. I presume it was the case.

NOMINATIONS TO THE HOUSE COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): Owing to the death of certain Members there are three vacancies on the House Committee and I have accordingly nominated Mr. Hooseinbhoj A. Lalljee, Sir Frederick James and Mr. Jammadas M. Mehta to fill these vacancies.

I have also to inform the House that I have appointed Sir Muhammad Yamin Khan as an additional member of the Committee.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON EMIGRATION.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that the following Members have been elected to the Standing Committee on Emigration:

Mr. N. M. Joshi, Sir Syed Raza Ali, Sir F. E. James, Mr. Ananga Mohan Dain, Mr. M. Ghiasuddin, Syed Ghulam Bhik Nairang, Shams-ul-Ulema Kamaluddin Ahmad, and Khan Bahadur Shaikh Fazl-i-Haq Piracha.

THE GENERAL BUDGET—LIST OF DEMANDS—*contd.* SECOND STAGE—*contd.*

DEMAND No. 12—EXECUTIVE COUNCIL—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now deal with the Demands for Grants. I think it is now the turn of the Independent Party to move their cut motions.

Means whereby People may have better opportunity to place their Views before the Government regarding War Activities and the future Position of the Country and of the future Needs for the Prosperity of the Country.

Mr. Hooseinbhoj A. Lalljee (Bombay Central Division: Muhammadan Rural): Sir, I beg to move.

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is apparently not satisfied with the Assembly.

Mr. Hooseinbhoj A. Lalljee: With regard to the Assembly, something is coming. Sir, it is now nearly four years that we have this great war and we have plunged into this total war with all that we have. It cannot be denied that the efforts made by this country to recruit as many soldiers as possible, to recruit officers, to train officers, to recruit technicians and above all to do all we can to increase our munitions and stores—all these efforts are comparable to what other countries are doing. In fact, it can be proudly said that during the first two years of the war, this country supplied the major portion of the requirements of war and also troops. It cannot be denied that during the last two years, since our own country has been directly threatened, every endeavour is being made to do our level best to prosecute the war successfully. In order to do so, we have not lagged behind others in making sacrifices, which is also a fact.

Sir, it is also admitted that almost all, or a very large portion of our people have been assisting war endeavours and all the sacrifices that they are making are with the intention of putting down Fascism, and Nazism and to acquire liberty for themselves and for all other people and also for those who have lost their liberty. While this is the position, we are often told that we are not doing enough or as much as this country can do. I make bold to say that aspersion is not correct. If it is the real desire that this country should do still more, and which she can really do, then I ask in all fairness whether the people in this country are taken into confidence as those of the other countries whether the people of this country are regularly and often told what is the condition of war, whether the people of this country are made aware as in other countries as to what they are required to do, and above all whether, except the formation of the National Defence Council very recently by the Viceroy, any

[Mr. Hooseinbhoy A. Lalljee.]

other regular duly formed body, has been created in any other part of the whole of the continent of India to do any such work. Sir, with regard to the National Defence Council, I have nothing to say, but I will only say this much that a body like that in the Centre may give confidence to some as to something is being done, but it cannot and does not honestly give the masses that confidence. Compared to what is being done all over the world and more especially in countries where also war activities are going on can this little institute that has been formed to meet only in Delhi be said to be of the people's representatives only and created for people to know the real and full position; for less to make the people take any interest in the war. Sir, this country, as is almost acknowledged, is a continent. Its provinces are larger than many of the small countries of the world. Still one does not find that in any of the Provinces any attempt is made to have an institute or body where people's representatives and others can give out the views of the people. Is this fair? Is this right? Is this the way to really and sincerely work for the war specially when so many dispersions are made that full attempts are not being made? 22 crores of people in ten provinces and no institution in any of those ten divisions where people's representatives could talk about the war, or be able to know something about it, or suggest ways and means with regard to its activities or put their suggestions before the Executive Government with regard to the war and the relative position of the people of the country! Sir, as a result of the war, and owing to prevalence of the war in most of the countries, our foodstuff position in the country has been much disorganized. It wants planning and distribution. So far as my own personal opinion is concerned, we ought not to have come into that position, but unfortunately for the want of proper planning and distribution, for the want of not having obtained public opinion from time to time in different provinces as to what they think and for the want of not taking those people, who are vitally concerned, into confidence, or taking care to obtain true position that we have come to this position. It is a very serious position and it is as important as other war activities. But may I ask the Central Government whether any attempts have been made or are being made in the provinces, in the ten provinces (I ought to say that they should divide India into 20 provinces for this purpose) to create bodies, Councils or conferences, or whatever you may like to call and to take people into confidence in those places? Please ask for their views and act according to them, do not neglect them; because there are no legislatures there, it is your duty to be more careful about them. Sir it will I believe be conceded that those people who have got to undergo the distress due to the bad distribution of food are mostly those people who have been helping you to get recruits from all the provinces in India (even Madras has been giving you lots of recruits) therefore it is but just that they should be given some opportunity to express their views. And I cannot understand why has not this been done? Sir, I feel that it is high time that the Central Government should at least try and create advisory bodies like the National Defence Council in every province. There will be nothing binding on the Government. Take their views and advice, and I am sure that both the war activities and the foodstuff and such other questions will be very soon nicely settled and settled to the satisfaction of the people. There are other questions which are agitating the people for want of information, such as the shortage of small coins and currency question, hoarding and prices. If facts relating to these matters are placed before the public and explained to them, I am sure a lot of misunderstanding and heart buring will be removed. Their views, their necessities are to be looked into and ought to be taken into careful and due consideration. I ask again is India such a small place that it could be fully guided by a small number in the National Defence Council in Delhi or even by the holding of one or two meetings of the Central Legislature, wherein hardly a day or two is allowed to discuss the world war news and when every proceeding are taken down and reported in the English language? Is all that

is now done sufficient to make 22 crores of people take any important interest or any serious interest, or is this a sufficient opportunity for the people to express their views? Certainly not.

Therefore, Sir, my suggestion is that in order that the people in this country may be able to know their position, may be able to help the war activity, may be able to solve some of the difficulties that have come in their way with regard to foodstuffs and many other things it is the duty of the Central Government to form in every province such small Councils as the National Defence Council, over which the head of the Government could preside and at least two or three days should be set apart for discussion every two months. That is the right way to take those people into confidence who are helping you and to act according to their suggestions as far as possible.

It may be conceded, Sir, that attempts have been made to acquaint people through the National War Front. But that is really and honestly speaking very very meagre. In fact, I may say very recently by some propaganda something is being done, but this is not at all sufficient. This is giving the mass of people a very faint light or idea as to what is really going on. No suggestion could be made, no discussion is possible, no joint deliberation undertaken. This war has been Sir very well described in the latest National War Front leaflet: the "Hindustan Hamara", it says:

"What is the National Front? It is the great responsible body of Indian citizens who are working for the future of India, knowing their own personal future is entirely dependent upon the country's destiny. Every man and woman who wants to see India greater, more efficient more united is a National Front member."

Mr. President (The Honourable Sir Abdur Rahim): What is the Honourable Member reading from?

Mr. Hooseinbhoy A. Lalljee: This is a National Front leaflet that has been circulated.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member can advance those arguments himself.

Mr. Hooseinbhoy A. Lalljee: As a matter of fact the leaflet says that the cultivators are supplying his family and himself with food.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot go on reading from the leaflet.

Mr. Hooseinbhoy A. Lalljee: I am only paraphrasing.

Mr. President (The Honourable Sir Abdur Rahim): I suppose the Honourable Member wishes to make it part of his own speech.

Mr. Hooseinbhoy A. Lalljee: Well, Sir, the whole substance of my motion is that I do feel that this war has got to be fought out successfully with the will of the people. At the same time, the people's desires must be carried out, and that if the people are made responsible they should have opportunities to discuss, deliberate and give their suggestions. In every other country such opportunities are given and in most of these countries the legislatures are the bodies which take the initiative and carry things out. Unfortunately in this country the legislatures in the provinces, in most of the provinces, are not functioning, but that does not mean that all the elected representatives in those bodies do not wish to work. Many of the members elected by the people to the legislatures are desirous of co-operating with Government, but no opportunity is given. It is said that because one party will not co-operate the Government as such will not work, but that a small committee of three Executive gentlemen with the Governor shall go on with the business. That may do for the time being but it is most unsatisfactory. That position cannot go on with respect to war activities and the general welfare of the masses of people. Give opportunities; provide some opportunity for those members elected by the people who wish to work to do justice to their constituencies, to do justice to the cause of the war and of their country. That can only be done by creating bodies as I have suggested. Government are wiser and have more opportunities, they must find out ways and means, but it is not at all fair that the people's representatives who are anxious to work and co-operate and to do justice to their constituencies

[Mr. Hooseinbhoy A. Lalljee.]

should not be allowed any opportunity to do any good for their people or for their country, when all over the world, not only activities of the war, but what is to be done for the future is being considered. Sir, we find that big conferences are held to consider economic problems of the allies after the war, and of the position of people all over. We find scramble for material after the war. We find, Sir, that the Prime Minister of New Zealand—Mr. Nash—new Minister, has been telling us that India cannot have independence, that India must be held as a strategic ground for the future of the world at large. These gentlemen want that this country should always remain under not only Great Britain but also under the Dominions and under other nations such as America. If such things are being discussed and talked all over the world, then what is the position of India, should people not have opportunity in India to discuss them.

Mr. President (The Honourable Sir Abdur Rahim): What has this got to do with this motion?

Mr. Hooseinbhoy A. Lalljee: This motion is very wide, Sir.

Mr. President (The Honourable Sir Abdur Rahim): No I cannot allow discussion of all sorts of questions under this motion.

Mr. Hooseinbhoy A. Lalljee: Well, Sir, I will not go further. I will finish by saying that I have given my suggestions with regard to position prevailing in the country and I hope the Government will give them a very careful consideration, and assure us that needful will be done.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

“That the demand under the head ‘Executive Council’ be reduced by Rs. 100.”

The Honourable Sir Sultan Ahmed (Law Member): The motion as it stands is so wide and so vague that it is very difficult to discuss all its implications, but from the speech which has just been delivered by my Honourable friend, Mr. Hooseinbhoy Lalljee, it appears that he wants the Government to devise means whereby people may have better opportunity to place their views before the Government regarding war activities mainly. In making his speech he has referred to various side questions: food position, currency question, the problem of ministries in the Provinces, the question of the status of India after the war. If he thinks all these questions are in any way covered by this motion, I submit that the motion is completely out of order.

Sir, so far as the food position is concerned, my Honourable friend is not satisfied with three-days debate in this House. He wants to have another go at it today. I am afraid, I can be of no assistance to him. Currency question again has been discussed twice on the floor of this House. My Honourable friend made two speeches in that connection. The Finance Member replied to all the points raised, but he wants to have another discussion today. I am afraid I can be of no help to him on that, either. He wants the ministries to function in the Provinces.

Mr. M. Ghasuddin (Punjab: Landholders): He did not say that.

Mr. Hooseinbhoy A. Lalljee: I have not said that I want to discuss further here food question or the finance question or the currency question. I said that these questions could be discussed by a Council or a body if it could be set up in the Provinces, not here, and suggestions could be made in that Council by the large number of people in the Provinces, and who are vitally concerned in their provinces.

The Honourable Sir Sultan Ahmed: If the Ministry is not working there, there is another Executive under the Constitution Act functioning in the Provinces. And I will presently show as to what activities are being carried on in order to bring home the position of the war to the people of the country.

I was very happy to know that my Honourable friend in the very beginning of his speech stated, and very rightly stated, that we have succeeded in getting sufficient recruits, we have done all that is possible to be done to supply certain items of equipments and materials, and he further went on to say that people are, in fact, supporting the war efforts. That being so, what is the necessity of

this cut motion. I was expecting that he would give to us what he suggested in the cut motion itself the means whereby all this could be further achieved.

Now, let me tell the House that there is a body—as the Mover himself knows and he has referred to it—the National Defence Council. That Council, I respectfully submit, is not only set up to represent the territorial areas, but also is set up to have persons who will represent the various elements in the national life of British India. . . .

Mr. Hooseinbhoy A. Lalljee: Only one in whole of India.

The Honourable Sir Sultan Ahmed: . . . so that it contains effective representation of different interests, different functions and different communities. It is the intention that the Council should act as a means of liaison between the provincial war effort and the war effort of the Centre. Representatives of each Province are expected to keep in touch with the Governor and their Government or Advisers. It is expected also that Provincial representatives will maintain contact with Provincial War Committees or similar organizations.

Sardar Sant Singh (West Punjab: Sikh): Why don't you make clear?

The Honourable Sir Sultan Ahmed: Perhaps my Honourable friend knows that in each Province there is an institution which is called "War Committee". .

Mr. Hooseinbhoy A. Lalljee: But they are not working in any sense like the National Defence Council.

The Honourable Sir Sultan Ahmed: They are working and working most satisfactorily.

Sardar Sant Singh: Satisfactorily from the point of view of Governors.

The Honourable Sir Sultan Ahmed: That is a difference of opinion between my Honourable friend and myself and that will remain so long as we do not agree.

Mr. Hooseinbhoy A. Lalljee: None of the elected Members agree with you.

Mr. M. Ghiasuddin: It is their misfortune.

The Honourable Sir Sultan Ahmed: It is not my misfortune anyhow.

It may also be remembered that so far as the activities of the Provinces are concerned, the Centre has not got very much concern. Each Province finds out the means of placing the people in a position to know the war efforts and bringing the position of the country as a whole known to them and also trying to place before the people what is required of them to do. You may laugh at the National War Front, but that is a very important organization.

Sardar Sant Singh: It is.

Mr. Hooseinbhoy A. Lalljee: It is.

The Honourable Sir Sultan Ahmed: And I suggest that not only here at the Centre but in the Provinces you have got men of light and leading representing all shades of public opinion working under it except those who will not like to do anything for war efforts.

Sardar Sant Singh: Question.

The Honourable Sir Sultan Ahmed: There are people representing all shades of public opinion doing their very best to take the position of the war efforts right home into the villages and to the masses.

Mr. Hooseinbhoy A. Lalljee: Who does it?

The Honourable Sir Sultan Ahmed: The National War Front.

Mr. Hooseinbhoy A. Lalljee: Oh, dear me!

The Honourable Sir Sultan Ahmed: Oh, dear me indeed! This is a very serious matter, and it is done by them and it is only with those who will not listen to anything that is reasonable where our helplessness comes in. We have done our best at the centre and we are doing our best in the provinces with the limitations that the Constitution Act forces upon us, and the Governor and his advisers are doing their level best; and I am very glad to say that the best result is achieved, as the Honourable the Mover of the Resolution himself admitted in the beginning of his speech. If my Honourable friend wants that further measures should be adopted in the provinces. . . .

Mr. Hooseinbhoy A. Lalljee: Certainly.

The Honourable Sir Sultan Ahmed: . . . it is open to him to go back to Bombay, as I hope he will do very soon, and make representations to the Governor and suggest to him the means which he has got in view, which may be adopted by the Governor; and I have absolutely no doubt that if those means are reasonable, practical and possible they will be adopted. So far as the future position of the country is concerned, which is envisaged in this motion, as I have already said that is a matter in which I can be of no help on a cut motion. The future needs for the prosperity of the country, he suggested, must be from reconstruction plans and so forth and Government are fully aware of the necessity of that; and I can assure this House that steps are under active consideration whereby this planning will be resorted to. What the plan will be it is very difficult to say at present, but I have no doubt in course of a few weeks, perhaps, the country will know as to what steps the present Government propose to take in that direction.

Mr. M. Ghiasuddin: Sir, I have heard the speech of the Honourable the Mover of this cut motion and so has the Honourable the Law Member. But there are certain points which the Honourable the Law Member seems to have understood rather differently than myself. I also admit that the scope of this motion, as the Honourable the Mover has moved it, is rather wide; but there is one little point which the Honourable the Law Member seems to have missed. The motion touches on the question of currency and post-war status of India and the food problem, and other things, only in the sense that the Honourable the Mover wants that there should be some channel by which the opinion of public men should be ascertained on these questions. He was not discussing exactly those questions; he was only pointing out that there are so many questions which are facing the country and which are troubling the minds of public men, and there should be some channel by which those views should be conveyed to the Government. This is one little point which the Honourable the Law Member seems to have missed.

Now, Sir, I would say that broadly speaking there are two categories of people in this country. One set of people say that they will help in the war effort only if certain conditions are fulfilled: for instance, even the Congress say that if such and such things are done they are prepared to come and help the war effort, and similarly the Muslim League also are prepared to help if certain conditions are fulfilled. But there is another set of people who say, "We are going to help you. As things are, we do not care for what is going to happen tomorrow: today, we are ready to help you under the present circumstances, under the present constitution, under the present Government, however satisfactory or unsatisfactory it may be." They say that whatever the case is they are prepared to help you to win this War. Can the Honourable the Law Member lay his hand on his heart and say that full use is being made of those people who are prepared to help him? I say "No". The Honourable the Law Member has suggested to the Honourable the Mover "Go to the Governor". Why should not the Governor go to him? It is the duty of the Governor to come to him and not for him to go to the Governor. Why should he?

The Honourable Sir Sultan Ahmed: May I just say a word? I certainly agree that the Governor should go to an organisation as an organisation of men who are neither in the League nor in the Congress nor in the Hindu Mahasabha. Have an organisation and you will force the Governor to come to you; but as long as you have not got any, you cannot expect the Governor to go to Mr. Lalljee or Sir Sultan Ahmed or Mr. Ghiasuddin individually.

Mr. M. Ghiasuddin: Certainly not; but if the Governor is there to see that the war effort is carried on, it is his job as well as that of a private individual like Mr. Lalljee to create such an organisation. I say that in most provinces the Governors do not care to have any such organisation. The present attitude of the Government of India is, I think, that you have contempt for those people who want to help you. This is my experience—I may

be right or wrong. There is no doubt that no major Political Party is with you in this war effort; but surely there are people who want to help you, and you are not making full use of their co-operation, because probably you think, rightly or wrongly, they are nobodies, what can they do?

The Honourable the Law Member also referred to the Provincial War Committee. I have the honour to belong to the War Committee in my province since almost its very inception; but I know how these war committees are working. They meet once or twice a year—a sub-committee meets for one or two days, presided over by somebody; they come and say "How do you do? How is this and how is that?", and they give thanks to the members who have come and the thing is closed. In a serious moment of national crisis, is this the way how this committee should work? People are prepared to work if properly organised: they want to work, to go to every village, to do their job for you so far as lies in their power; but are you being helpful? As soon as the war was declared, at least in my province lots of people wrote to the Governor and to other officials that their services were at the disposal of the Government to be utilised for the successful prosecution of the war and all that. Yet, three years have passed, and in the majority of cases no use has been made of their offers. They have only been told "You come and see the Governor or somebody".

Now, we come to the National War Front. I am prepared to pay my tribute to the organisers and the persons who conceived the idea of a national war front and if I am not wrong, the most important one of them is very near me just now at this moment, I mean Mr. Griffiths and I take this opportunity to pay him my tribute. He is doing all he can; and without being disrespectful, I may say that he is doing more than a good many Members of the Government of India. But after all he is a private individual; he has put his services there and although pamphlets are being issued, still the National War Front has not been organised on the scale on which it should have been organised. There should have been war front central boards, provincial boards, district boards and even village and tahsil boards; and although my province is supposed to be very war-minded—and so it is under its popular Premier and the Legislature functioning there—I am afraid a lot still remains to be done; and therefore I would request the Honourable the Law Member, not to pooh-pooh the idea of what Mr. Lalljee has said—there is a lot of truth in it and I hope the Government will ponder over it very calmly, and I think there is a lot of constructive suggestion in what he has said. Sir, I support.

Mr. P. J. Griffiths (Assam: European): Mr. President, it was not my intention to take part in this debate this morning, but since 12 NOON. reference has been made to the National War Front I feel impelled to make a few brief remarks. From what I have heard of the remarks by various speakers I have formed the impression that at least one of those speakers had no conception whatsoever of the amount and intensity of detailed work which is, in fact, being done by the National War Front in various parts of the country. I feel this not so much because of what that speaker said in his speech as because of one of his interjections. When I heard the phrase, "sleeping in Simla" I realise that the interjector must have an entirely different conception of sleeping from what I have experienced myself. I wonder what my Honourable friend really means when he says that what is being done by the National War Front is hopelessly inadequate. Has he thought out what propaganda means? What does he consider that the National War Front should be doing? It seems to me that propaganda depends mainly on four things, public meetings, production of pamphlets, visual publicity, and publicity in the press. With regard to which of those four things is my Honourable friend dissatisfied? Is it with regard to meetings? I wonder if my Honourable friend is at all aware that something like 2000 meetings were held last month alone in different parts of India, by people.

[Mr. P. J. Griffiths.]

speaking for and with the assistance of the National War Front. I wonder if my Honourable friend knows that every one of those speakers has, sent to him, if he cares to use them, very detailed notes giving facts, figures, suggesting lines of argument and helping him in every other possible way, so that those public men who are willing to talk about the war can do so without having to spend time and energy in carrying out research themselves. They are spoon-fed, their task is made so easy that there is no excuse for any public man, whether a Member of this Assembly or not, not doing his share in addressing meetings with regard to the war.

Sardar Sant Singh: Inspired.

Mr. P. J. Griffiths: They are inspired. That is why my Honourable friend quotes them in this House. I now turn to pamphlets as a form of propaganda. Does my Honourable friend know that from the National War Front central organisation alone something like 15 pamphlets of various kinds are issued every month? I think my Honourable friend himself, by doing me the honour of reading one of those pamphlets, is at least admitting that they tell the right story and they tell it in a simple language. What more does my Honourable friend expect? I turn to the third form of propaganda, visual publicity. Is any of my Honourable friends aware that every single portable cinema projector on which we can lay our hands is at this moment being used for the purpose of war propaganda? Our work in that sphere is limited not by lack of funds—Government provides funds freely,—not by lack of intention to use them, but by the physical difficulty of getting projectors and getting vans in war time. We make the utmost possible use of the cinema and visual publicity in this country to-day. And the final main form of publicity, press publicity, is not one which requires very much detailed description from me, for Honourable Members can see it for themselves day by day in the press. They may disagree with it. They may say it is badly done. I claim no recipe of infallibility, but I ask them this—if they are dissatisfied with press publicity or advertising, why on earth don't they write in and say so? My Honourable friend in this House is full of criticisms. Has he ever come forward with any constructive suggestion? Has my Honourable friend ever once written to me and said, this form of National War Front propaganda is worthless? If my Honourable friend is so keen to see the National War Front made into an even more effective instrument for propaganda, for heaven's sake, let him start co-operating with us and telling me what to do. I claim no monopoly of knowledge of propaganda. I want help, I want advice, I want criticism provided it is constructive criticism.

In conclusion, I would like to make an offer to those of my Honourable friends in this House who say, why does not the Government or the Governor come to us and ask us to do something?—I want to make them an offer here and now. If any of my Honourable friends in this House will undertake to address 12 meetings in the course of the next two months, I will bear the necessary cost of the meetings and I will see that they get the meetings. What I feel is that those Honourable Members who are the most vocal in their destructive criticism are the ones who are the least ready to do anything practical and concrete about it. I therefore put forth this challenge. I hope my Honourable friend, Mr. Lalljee, will take it up. If he takes it up, if he can come to us in the next Session and say, "I have myself addressed 12 meetings," then he will have a right to talk about the failures and inadequacies of the National War Front. But unless and until he and those who think with him are prepared to do that, let them be content to accept the fact that we are doing our best without that measure of co-operation which ought to be forthcoming from some of those Honourable Members who are so voluble in their criticisms. I am not saying this for the sake of scoring a debating point. I mean it as a perfectly sincere appeal, an appeal to Honourable Members and those others who have not yet done so, to come forward

and say, "We are public men. We represent constituencies in different parts of India. We are responsible for moulding Indian thought and Indian feeling. We will place ourselves, all our spare energy, all our spare time and all our knowledge at the disposal of the National War Front", so that that campaign, which even now is not entirely ineffective, may be turned into an irresistible campaign that will sweep this country like a whirl-wind and make people realise that this is India's war.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): I was somewhat surprised that my Honourable friend, Mr. Hooseinbhoj Lalljee, complained about non-association in the National War Front work. Only a few months ago he has been taken in Bombay on the National War Front to assist. . .

Mr. Hooseinbhoj A. Lalljee: I have never said it. My Honourable friend has not followed what I said. I said, you form more bodies like that. I have never said they have not consulted me. I myself addressed two meetings for which we were called. No third meeting was called. Let my friend, Mr. Griffiths, take note, and enquire.

Mr. Jamnadas M. Mehta: In the province of Bombay at least there are people who invite his co-operation, and he gives co-operation. Therefore, he should have said a kind word about the province of Bombay.

Mr. Hooseinbhoj A. Lalljee: I have nothing to say about that, what I want is that a real body should be created like the National Defence Council—I repeat the National War Front. I am not criticising.

Mr. Jamnadas M. Mehta: I do not want a concert between him and me. I do say that my Honourable friend, Mr. Lalljee, is really an active co-operator in the National War Front in Bombay. He has unnecessarily depreciated his own contribution to the work of the National War Front. I cannot understand why he does so. I quite agree that there are several things which can yet be done to improve the work of the National War Front. One thing which can be done is to eliminate advertisements in daily English newspapers. These are utterly useless. The Anglo-Indian newspaper readers already know everything worth knowing about the pros and the cons of the war, and the so-called Nationalist papers do not want to publish anything worth knowing about the war in the right perspective. So, in one case the advertisement is superfluous and in the other case; it is pure waste. I have raised my protest more than once against this colossal waste of public money on advertisement, in English daily papers, either the Anglo-Indian or the so-called Nationalist. Particularly in the daily papers it is wholly unnecessary. What is necessary is to advertise in the weekly papers in the districts and talukas, which are published in the vernaculars. You can thus save this huge waste of money in advertising in daily English newspapers and you can reach the masses of the people with the same amount of money far more intensely than you are reaching now. Today, what you do is a mere show, a costly show and a wasteful show. I know that my friend, Mr. Griffiths, has promised to curtail the expenditure on advertisement but I still see page long and column long advertisements in the *Statesman* and the *Times of India*. They are utterly wasteful and in the so-called Nationalist papers, it is worse than wasted. I would beg of him not to use one single copper coin over those who can do no good to the National War Front.

Then there is the next thing. Let my friend not think that the meetings which he organises are the only meetings. The Labour party in this country, to the extent that I am able to control it, does continuous war propaganda in its business meetings and annual general meetings. It does little else except to propagate with the utmost conviction that this war is for the security of the country and for the creation of international good will. We have never failed. I know that the Congress and the Muslim League are neutral. The Congress is hostile. The Muslim League is neutral. If the Japanese do not enter India, it would not be the fault of the Congress or the League. If

[Mr. Jamnadas M. Mehta.]

this country's frontiers remain inviolate, the credit would not go to either of these parties. The credit will go to those who are, today, in spite of much misunderstanding and misrepresentation, fully seized of the fact that this war must be fought and won and the enemy must be destroyed. For that purpose, one thing that should be done is to back up the National War Front and do everything which will make the war a success and a quick success. There is no difference of opinion on that point.

About these two thousand meetings that my friend organised, I fear there is a danger of his taking them all to be genuine. I can tell him that some of the war contractors invite us to dinner or to tea. There they held meetings and asked us to speak. They are no more interested in the success or failure of the war than the Man in the Moon. I have attended such meetings and I have told them that this is a mere show. (Interruption.) In spite of these drawbacks, let me say quite clearly, that the National War Front propaganda is telling in its effect. It is not wasted. In their totality, the National War Front efforts are successful. They are going deeper into the masses and they can be made to go still deeper. That is what I am pleading.

One thing more I should like to say and that is that in the National War Front leadership and directorship there is too much officialdom. People who are considered safe are alone allowed to go there. Non-officials who are considered quite safe are allowed to go there. Men like me are sometimes admitted to make a show of independence. They know that this disgruntled man cannot make a majority. It gives an appearance of cosmopolitanism to these committees but it will not be effective. The knowledge is there.

Sir F. E. James (Madras: European): Is Mr. Nilakantha Das a safe person?

Mr. Jamnadas M. Mehta: I ask my friend, Sir F. E. James, to take this as a serious matter. There might be an exception. Let my friend take it from me that I am giving him a correct picture because I am one of those who are interested in perfecting and improving the National War Front Organisation until it becomes a really live, effective body. If it is not national, it is not the fault of those who have organised it. It is the fault of those who, for political reasons, are getting away from their duty of doing everything to preserve the security of their country. The fault is not that of the organisers. I am not going to cavil at the imperfections of the National War Front except with a view to correcting them. That is my contribution to this debate. So far as the contact between the Government and the people is concerned, it can be made livelier, more intense and more genuine than it is but these criticisms can only come from those who mean to help. Those who want to ridicule are not wanted. Those who want to scoff are worse than useless. Those who are the agents of the enemy in their opposition to the war, they had better remain at a distance. I speak for those who regard this war as primarily India's war and a war to be won and everyone who can help to win the war is welcome to make such criticisms as he can, provided he means that the war must be won.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): I had no mind to join this debate but I find that something has been said about the National War Front. Not only my name has been mentioned in this connection, but some amount of heat has been imported into the debate. I have told the House many times that I differed and broke away from the Congress primarily on the question of joining these war efforts. My view was that India should wholeheartedly join this war and it is for that reason that I differed fundamentally from the Congress and broke away. I find there is one defect in the mentality of the whole administration and on account of that, the war effort is being frustrated perhaps unknowingly. Much has been said about the repressive policy. Everyone must admit that when there is open rebellion, there must be suppression and repression if you like to so call it. You cannot

say 'No' to it. When you declare open rebellion, you cannot fret if the rebellion is met by this kind of repression.

Sardar Sant Singh: Ruthless!

Pandit Nilakantha Das: There may be mistakes. Ruthlessness may exhibit itself at times. But these are bad times, and therefore such ruthlessness may only be dealt with by co-operation. But I find such co-operation sometimes becomes impossible. Government must suppress disorder if administration is to go on; but at the same time popular representative interests must be included in the Government. The civilian rule, as I said the other day, is a danger, and that particularly at this time. I do not mean every civilian as such in all places. Mr. Griffiths himself was at one time a Civilian. He is not a Civilian now. I admit that generally the civilian is doing very good and useful work. But the superannuated civilians who work in the old traditional way are not desirable particularly at this time as rulers. That is my impression and that is my contention. Be he a Governor or be he a Secretary, he is not desirable as a ruler if he is a civilian.

I admit that men like Mr. Griffiths are trying their best to make the National War Front popular. Still I know it has not yet been made either national nor even war front. Attempts are being made in both directions; but very little national outlook has been developed, nor the war front has yet been carried to the villager. Mr. Griffiths and his Assistant who went to Orissa recently, no doubt, made very good speeches and profuse propaganda. But I shall give one experience of mine to the House to show how the National War Front is actually working in the Provinces.

As soon as the national war front organisation was contemplated, I was asked by my Provincial Government, perhaps in consultation with the Governor himself, that I should take charge of the war front in Orissa. I was very glad because that was an opportunity for me to do what I could as a popular leader of the province. I was very happy and I began to work in right earnest. I told my people that for six generations they have not been given an opportunity for fighting either for themselves or for anybody else. Here was an opportunity. I asked them to come forward and show to the world that India is full of heroes and that nobody can forcibly enter into their country, their hearth and home except by walking on their dead bodies. But still I found that meetings were held time after time and only the 'safe' non-officials and officials were invited to attend them. There were the usual festoons and the decorations and there were the streamers "God save the King". Once I told the organisers of the meetings, who were always officials, "The King is not here to be used in this way and we do not want his personal weal by saying 'God save the King'. He is not ill and we are not praying for his health to God. It is regarded rightly or wrongly as a symbol of Imperialism and even educated people know it as such". I said that I could give them some other mottos like "God save the nation; God save democracy; God save the Allies", Do not say "God save the King", for people will be scared away by that symbol. We may have our respect for the King and may for the matter of that have our respect even for the Empire; but this is not the time for this motto. I told them all this, but the officials persisted. On the occasion of the War anniversary on 3rd September, 1942 I was invited to speak in the meeting and these streamers were there and I found people appeared to come to see a fun and were laughing in their sleeves. I could know their minds at a glance. The Honourable Minister Pandit Godavri Misra was presiding. I told him how the officials don't understand and don't take hint or hear suggestion and then we decided that I should say something to clear the atmosphere so as to attract people to pro-war mentality. I said on Imperialism and democracy and in that connection addressing the organisers of the meeting, I said, "You should have for the time being at least, God save democracy; God save the nation and there are so many other things which you can say."

Mr. Jamnadas M. Mehta: Or let God alone!

Pandit Nilakantha Das: I said, "do something with the object of achieving something. If you do not know how to handle the situation and how to attract people, then it is better that you do not handle the organisation of these meetings at all". After that I found there was some freshness and enthusiasm among the audience in the meeting. Then, I said, 'these streamers are taken as symbols of Imperialism and therefore we do not want these'. If by "God save the King" is meant the personal weal of King George, VI, no body can have objection to it. But unfortunately it is not so. Some people who were in the War Committee and who want the National War Front for themselves were up against me and the Governor himself said, "I cannot agree with Pandit Nilakantha Das for he is against my King". I went to see the Governor and told him not to misunderstand me.

An Honourable Member: "Is that all in order?"

Pandit Nilakantha Das: I am not going into the details, but even now the controversy is going on and I do not know whether under these conditions I can work for the war front, for in that case I shall lose my people. Now, this is the dilemma under which people are working in the provinces and I do not think even Mr. Griffiths or his Assistant, who made a very impressive speech, can save the situation. Sir, our nation must be understood and approached only by the representatives of the people. Everywhere non-official representatives should be selected very carefully. . . (Interruptions.)

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member had better go on with his speech and pay no heed to what others say.

Pandit Nilakantha Das: So, I appeal to my friend, Mr. Griffiths, who is very enthusiastic about this National War Front to proceed with this matter very carefully. I hope that my voice will be heard in the provinces, even by the authorities and civilians everywhere, that they should now think of approaching the real representatives of the people. Many sensible friends and followers of those who are in jail are outside in the country. All those people who are in jail are not bad. From amongst these people should be selected those who have by now understood their mistake. If they can be utilised to make the war front a national institution, great success can be achieved and that very easily. I trust after the great Fast, things have settled down and some more effective technique in practical politics will now appeal to the people. That technique should timely be taken advantage of by those who are in charge of administering this land and for this purpose the administration should be in the hands as far as practicable of representative Indians. With these words I support the motion.

Sardar Sant Singh: I did not propose to intervene in this debate, nor do I propose to take more than three minutes. Sir, after the eloquent speech of Mr. Griffiths, President of the National War Front, on the value of propaganda nobody can disagree with him on the basic idea of propaganda. But he has overlooked one fact and that is this; after all he must understand that the people in this country go to the extent of worshipping some of their leaders. Whatever falls from the mouth of their leaders is given more value than that which comes from the bureaucratic source. He forgets that Pandit Jawahar Lal Nehru, a venerable leader of India, once said about this National War Front—it is neither a national war nor a national war front. As I said, Sir, the words of a leader carry more conviction with the people of this country than the words coming from any other source, so these words of Pandit Jawahar Lal Nehru have gone into the hearts of the masses. The idea of this National War Front once expressed by a leader carries more conviction with the people than the articles and advertisements published in the papers. Therefore, I will suggest to Mr. Griffiths, as I do not want to take up any more time of the House, to suggest to his masters, to his people, the British people, that before this War Front can become national in the real sense of the word, the real political deadlock in the country should be dissolved. National Government should be formed

in the Centre and the power should be transferred to Indian hands, before I am asked to accept each and every thing which is being done in connection with this National War Front. Sir, with these few words I resume my seat.

Mr. T. T. Krishnamachari (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Mr. President, I had no intention of taking part in this discussion and I would not have interfered but for the fact that the discussion had largely centred round the efforts of the National War Front. Sir, it may be said that a sceptic may not be permitted to enter a temple and as one who is sceptical about the utility of the National War Front I should not speak about, Sir, at the same time, there is another side to the question. Even if I am a sceptic I am a citizen of this country and a tax-payer and a representative of people who pay taxes; as such I am interested to know that the money that is realized by taxing the people of this country, the sum of one crore and twenty-six lakhs that has been provided for the National War Front and counter-propaganda is not wasted. I am here to see that that money is properly spent and is not spent for the purpose of creating a party for the Government in this country. Sir, I am concerned with this aspect of the work of the National War Front and I will confirm myself to placing before the House my views on this aspect. It is true, Sir, that people of this country need to be educated about this War; as much of our misery today is due to it. But in speaking about an interest or lack of interest in this War I do not want to say anything that would offend the susceptibilities of my friends of the European Group. We are aware that England has been fighting this War almost with its back to the wall and it must not be understood to mean that we do not sympathise with them when we enforce this Government's efforts to interest our own people in this war. This National War Front organisation is indeed a very queer one. We do not know why it has been created, and what is the element that is nationalist amongst those that are in charge of it. I do not want to repeat the words that have been used by my Honourable friend, Sardar Sant Singh, that it is neither national nor is a front. While the recruits for the army sell their brawn, those recruited for work in the National War Front sell their brains as well as their souls to the Government. It is said that the brain work of this front is to do propaganda in regard to the war. Paid district National War Front leaders are appointed. Paid lecturers are appointed to work under district organisers. The primary qualification for selection for those posts happens to be first that they are anti-national in their avowed views and secondly that they are prepared to sell their souls as well. I have some experience of propaganda and I am aware of the way in which propaganda is done. Sir, I have also some experience of platform speaking in my own province at any rate. But knowing as I do how these National War Front meetings are arranged and how people react to these efforts I cannot help feeling that it seems to do nobody any good except those paid by this National War Front organisation.

Sir, I have been a member of the Provincial War Committee for one day: but had to sever my connection on that very day. I went there with the full hope of being able to do something in the way of serving my country. But the whole show proved to be a rally of reactionaries. I went to the first meeting of the Committee with hope and came out completely disillusioned. Any war effort which is organised by Government or Government sponsored shows can only mean creating a party for the Government by purchasing the brains and souls of some Indians. That is how the National War Front is worked today. Will the Honourable Mr. Griffiths please tell us how many men are there who work in organisations without expectations of reward.

Mr. P. J. Griffiths: There are several thousands. I will get the figures for you next week.

Mr. T. T. Krishnamachari: Sir, this House is really interested in the proper utilisation of money that is spent by the Government of India—the money is raised by taxes that have been practically squeezed out of the poor people of this

[Mr. T. T. Krishnamachari.]

country. We are therefore interested that it should be spent properly and not for the purpose of creating a party for the Government. I would like to point out to the Government that that is what the National War Front is doing today I would tell the Government that support for war effort that is purchased is of little avail. I would also tell them that the work done by the National War Front propagandist leaves the masses cold, as no real mass consciousness can be created except by people who know the masses and command their respect. The Government cannot expect lasting loyalty from people who are prepared to sell their souls and it is futile to expect that a party of Government supporters can be created in this manner.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): Sir, I will take not more than four minutes. I regret that I was not in the House when this interesting discussion took place. One does not know what subject is going to be discussed in this House, and therefore one is sometimes not here. If I had known that my Honourable friend Mr. Lalljee was going to raise such an interesting discussion, I would have made it a point to be here. In the interesting speech just made by my Honourable friend who is sitting behind us and who is a new-comer to this House—we are glad he is now taking active part in the discussions,—he made certain remarks which might be misleading. In his speech he said that Government was spending one crore and 25 lakhs of rupees. I do not think that that figure is altogether correct. That is one fact. The next is that money is being spent on propaganda and on people who go to meetings. He was kind enough to tell us that he had gained some experience. But what kind of propaganda he had been doing, he did not tell us. If he has some experience of propaganda, then I presume that he knows that all propaganda costs money. How he spent the money on his propaganda, I do not know. Has he paid anybody to speak? Has he ever given travelling allowance to people who go to meetings? I know that large meetings are held, where we are told in the newspapers that 50,000 people attended, while a little bird whispered the next day that a large number of the audience had to be paid four annas, eight annas and twelve annas to be present there. We have heard of such meetings. We have also heard that large sums of moneys have been spent on propaganda. Therefore, if some money is spent on propaganda in instructing people as to why we are fighting, that money cannot be said to be wasted. It is not always easy to raise money for propaganda. Some people get it very readily for certain kind of propaganda. But when you come to propaganda of a character which may not be very popular, money is not easily forthcoming. Now, perhaps this Honourable House may not have been informed that this National War Front came into existence on the initiative of Indians. My Honourable friends may say that these Indians have sold their body and soul. That expression can also be applied to others that they have sold their body and soul for a purpose. But the fact remains that the idea originated with Indians, that the idea originated with men who felt that our people do not really understand for what we are fighting. If they really understood the objects for which we were fighting, they would realise that every assistance given to the war, was assistance given to India. They would be made to realise that this war was a question of life and death to Indians just as much as it is to Englishmen. They would be made to realise that losing this war would mean losing all prospects of swaraj or independence. Is it not a good thing to make people realise what it is that will come in the way of independence and swaraj? There are two sides to every question. Political agitation may help to bring independence and swaraj. I do not deny it. It may advance you a step further. But losing this war will undoubtedly make us lose all chances of future agitation on the part of the people of India and will make India a slave country as it has never been made before. Is it not worth while spending some money to make people realise that? I believe it

would take lakhs and lakhs of money to make my friend Sardar Sant Singh understand it. It might be waste of money, I agree.

Sardar Sant Singh: I never said it is a waste of money.

Sir Gowasjee Jehangir: There are three classes of people in India. The first class of people are those who are not prepared to be convinced and who are determined that they shall not be convinced. Another class of people are those who are only too ready to be convinced and a third class of people are those who have no views, no definite views. It is this third class that has got to be tackled. If we can really, regardless of politics, make our people understand the real issues that are involved in this war, I do not think we should grudge the money that we are now budgeting for. It is more a help to gain independence and swaraj than the other way about.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

The motion was negatived.

DEMAND No. 14—LEGISLATIVE ASSEMBLY AND LEGISLATIVE ASSEMBLY DEPARTMENT.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That a sum not exceeding Rs. 6,47,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Legislative Assembly and Legislative Assembly Department'."

Mr. President (The Honourable Sir Abdur-Rahim): Motion moved:

"That a sum not exceeding Rs. 6,47,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Legislative Assembly and Legislative Assembly Department'."

Necessity of holding more Sessions of the Legislature in view of the War and the future Position of the Country in the great Developments that are taking place in the World at large.

Mr. Hoosenbhoy A. Laljee: Sir, I move:

"That the demand under the head 'Legislative Assembly and Legislative Assembly Department' be reduced by Rs. 100."

Sir, I really thought there was very little inclination on the part of the Government to accede to the request that I was going to put. After the discussion on the last cut motion I find that the Central Government wish to take upon themselves all the work and responsibility, they wish to concentrate all the activities at Delhi and to themselves. My only appeal then was that some body like the one established in Delhi for national defence purpose, may be formed in the Provinces and representatives of the people associated with it and nothing more. My suggestion then was that all those items such as recruiting and the difficulties of obtaining and distributing foodstuffs and so many other things may also be discussed in the Provinces in such a body. However, I am very glad that now it has been made clear that everything is going to be centralised in Delhi and that central Government desire to take upon themselves the whole administration of the country at Delhi. If that is really so then I do feel that in all fairness they will at least agree in the circumstance that there should be more frequent Sessions of this Legislature. The Government here have taken upon themselves more and more work, and they want that the Legislature should have as few meetings as possible. This is not at all fair. Formerly, before this great war, we used to have at least three Sessions. After the great war started when the country's activities are no doubt in the first instance to be applied to war purposes and war efforts besides to the vast administration the meetings have been reduced. In fact the Legislature meets now only twice a year and thus the number of sittings in reality are reduced. When the whole world is now at conflict, and when the world has been changing so considerably, surely we are entitled and we should know something about war activities as often as possible as also the position of our people here and outside, and what is being done by other people in the world.

The Honourable Sir Sultan Ahmed: The Legislature meets ordinarily twice a year.

Mr. Hooseinbhooy A. Lalljee: I am an old Member of this House, I know the Legislature used to meet three times a year. But even if it was only twice a year, surely we ought to have in these trying times many more meetings. I would suggest to my Honourable friend the Leader of the House to condescend to find out how many meetings the British Houses of Parliament have been holding ordinarily and how many since the war began. How often are now those meetings held? How many times they are held on even small occasions and how often when any important event takes place. The Houses of Parliament as a matter of fact meet every now and then and whenever people want a meeting. It may be at the interval of seven days, or ten days or 12 days or at most a month. Would you like to believe, Sir, it is democracy that 22 crores of peoples representatives should meet here once in six months to consider in these times the position in this world. Once in six months even during this total war in which we are involved you call a meeting of the Legislature. Is this in any sense fair? Is this how you want the people of the country to be acquainted with war efforts and with war activities. Sir, it is necessary also to remember that half of India has not got any Legislatures functioning and no opportunity is available to them to say anything about war or the general administration, what is the position of people in those provinces—there are a large number of them in my Province who are anxious and want to ventilate the grievances of the people and want to co-operate and make suggestions on behalf of the people but they have no means to do so; they are barred from doing so, because there is no Legislature working and no other opportunity is provided for them. Under these conditions, even the Central Government—the grandfather of all—hesitate to give the people representatives the necessary opportunities and the representatives of the people are helpless, this is really the position in India.

An Honourable Member: Who is the father?

Mr. Hooseinbhooy A. Lalljee: Father is somewhere else.

We have got only two elected Muslim representatives from the whole of the Bombay Province here, Mr. Jinnah and myself. All the Muslim members in the local Legislature are not having any opportunity to say anything about their people or their condition or to bring to the notice of the executive Government the grievances of the people far less to be able to suggest any improvements or reforms. I do not know what is their guilt and why no opportunity is being provided to them, this is the state of affairs in these days. Now Sir, the two representatives who are here—what is their position—they get a chance to do something but that again is once in every six months, and this is certainly not at all fair. Are we fighting for liberty and democracy? Is this the way in which the Government should even now take people into their confidence? Is this the way in which the Government should give opportunity to the mass of people of this country to know how things are going on, how they are faring, how their Government is acting, and further to find out what they want? Sir I do feel to say the least that it is high time that Government should concede the request that I am making in view of the facts I have shortly placed before this House. I do not wish to speak more on this motion as the time at my disposal is short and I have got some other cuts as well, but I must say emphatically that we feel this position very much. Let me respectfully warn the Government that it is no good their trying to belittle those who are co-operating with them and who are working with them. We find from every side and more so from Government side that all those who work with the Government on behalf of the people and not only not cared for but are kicked. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Legislative Assembly and Legislative Assembly Department' be reduced by Rs. 100."

The Honourable Sir Sultan Ahmed: I feel happy that though only a few days back a motion was tabled that the Central Legislatures should be suspended or even abolished, one Honourable Member, at any rate, has now realized

the utility of this House and has asked for holding more Sessions in view of the war and the future position of the country in the great developments that are taking place in the world at large. Government have always taken the view that our Legislative Chambers are useful bodies and Government always welcome their views and reactions to Government decisions and actions. The feeling that at a time of emergency the Central Legislatures should meet more frequently, and there should be more frequent opportunities of contact with the Executive and for making its views on important questions of policy known and felt, is one with which Government have every sympathy. I, however, hope that the House will not misunderstand me if I just place a few difficulties which might stand in the way of any large increase in the number of Sessions held in the course of the year.

In the first place, we have to remember the vast distances from which Members of this House have to come whenever a Session is held and the extreme pressure on the Railways and other forms of transport . . .

Mr. Hooseinbhoy A. Lalljee: Pressure on account of 120 representative people of India. Where is the War Transport Member?

The Honourable Sir Sultan Ahmed: I am very glad to hear that the Honourable Member suffers no inconvenience.

Mr. Hooseinbhoy A. Lalljee: No inconvenience at all if we have to do our duty.

The Honourable Sir Sultan Ahmed: In the second place, I do not know whether it is fully realized how seriously the holding of a Session interferes with the day to day administration of governmental departments and, in particular, with the handling of measures of which a rapid disposal is vital to the war efforts.

Mr. Hooseinbhoy A. Lalljee: Does it not happen in England?

Sardar Sant Singh: Abolish the official class.

The Honourable Sir Sultan Ahmed: In this connection, I cannot refrain from referring, in particular, to the number of questions which are put down for answers and the effect they have on the ordinary routine work of the various departments. I do hope the House will not misunderstand me if I refer to one case. One Honourable Member in this House put the other day 18 questions for answers on one day when he should have known that he was not entitled to answers to more than five.

Sardar Sant Singh: Dates are confused sometimes.

The Honourable Sir Sultan Ahmed: Government do not know which of these will be pressed.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, I rise to a point of order. Were the remarks which the Honourable the President himself made about those questions not enough and could a further reference now be made by the Honourable Member? I rise to justify . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not regard it as a personal reflection.

The Honourable Sir Sultan Ahmed: I never mentioned the name at all. I am sorry that I have been misunderstood by the Honourable Member. The relevancy of it will appear presently. I can assure the House that the replies to those 18 questions when worked out in terms of the time taken to prepare them and answer possible supplementaries, would mean the engagement of one senior officer of the Government for full two or three days. The replies to those questions had to be given after collection of materials from different departments and three-fourth of this labour was simply wasted. I do not for a moment suggest that the Honourable Member deliberately put those questions to create any difficulties for us. Not a bit of it. It did not, I am sure, strike him what the result of putting so many questions on one day was. I can assure

[Sir Sultan Ahmed.]
the House that the Government will welcome enquiries from Members and consider it their duty to give helpful answers.

I will refer to another difficulty: Some of the Honourable Members insist that during the Budget-debate, the Government Member to whose department they are addressing themselves should lay aside the matter in which he may be engaged in his office room in this very building, matter which may be of immediate urgency and vital importance, with a view to listening to a criticism of his department which ultimately may not be so novel.

These difficulties which I have just pointed out, may, however, be got over if the House will be willing and prepared to co-operate with the Government in securing maximum result in shortest possible time. There is one further difficulty and that is of finding accommodation for the Honourable Members.

It is difficult to see how far sufficient accommodation can be secured. If the quarters which are at present occupied by them are again required for another short Session for them, then they will have to be kept vacant 1 P.M. most likely for the whole of the summer. This also is not an insuperable difficulty and it may be possible for us to get over it. Government will do their best and see how far this can be got over, and perhaps it may be necessary to consult the Leaders of the different Parties on these points.

I have pointed out these difficulties, but I may state that in a matter like this Government would not desire to be intransigent, and I am desired to state that if the debate on this motion reveals a desire for more frequent Sessions, His Excellency the Governor General will be prepared to agree to holding of a short Session during the latter part of July or the beginning of August, and another short Session during perhaps the latter part of October or beginning of November. An arrangement of this nature would materially reduce the length of time elapsing between Sessions and is as far as we can reasonably be expected to go. I hope the Honourable the Mover will be satisfied with the assurance and will not press the motion to a division. But I should like to have the views of the other Parties also on this point.

Mr. P. J. Griffiths: I rise to support the cut motion made by my Honourable friend, Mr. Hooseinhoy Lalljee, and in supporting such a motion I feel that from me and from this Group no detailed speech is necessary; for we come from that country whose greatest glory it is to have developed the parliamentary system and to have held that system forward for the inspiration and the imitation of the civilized world. The essence of that system, as we see it is that it provides a mechanism for contact between Government and the people, and it seems to us that in this country, at this particular stage where Government is not in the technical sense responsible, the maintenance of that contact and the existence of an adequate mechanism for providing it, is even more important than it can be in countries governed under the system of responsible government. It is for this reason that we attach great importance to that function of this Assembly, which consists in providing contact between Government and the people.

In war time events move so fast that those functions cannot be fulfilled if long intervals occur between one Session and the next, and we in this Group feel that, under present circumstances, six months is too great an interval between consecutive Sessions. We, therefore, fully support in principle the proposal made by my Honourable friend, Mr. Hooseinhoy Lalljee.

There is, however, one other aspect of this matter of which we must not lose sight, and that is that whenever we lengthen out the Sessions of this Assembly, to some extent we are unintentionally slowing down India's war effort. It is difficult for those who have not sat on the Official Benches to realise quite what a strain Assembly Sessions impose on the officials who have to attend them during the day and do such of their work as they can in the evening. I am not now speaking out of sympathy—having been an official

myself, I know that no official expects sympathy but I have in mind the practical result that the strain which long Assembly Sessions imposed on officials does, in fact, mean serious dislocation of their departmental duties. When those who stand at the head of the Department of Supply, of Food, or of Commerce, or of War Transport are in this Assembly, do not let us forget that their other war duties are, in fact, being delayed. That is not an argument against having frequent Sessions of the Assembly, but it is an adequate reason why everyone of us should do everything in his power to ensure that our business is conducted in the smallest possible time. In supporting this cut motion of my Honourable friend, I, therefore, want to make an appeal to Government, and I make an appeal to Government not because it lies solely in the power of Government to prevent the wastage of time, but I appeal to them because they are the right and proper persons to take the initiative: I want to appeal to my friend, the Leader of the House to get into consultation with Party Leaders, to ask all Parties to come together and to apply their minds to the problem as to how we can save time in this House. It is not for me here and now in this preliminary stage to suggest methods by which time can be saved. It may be that our procedure needs reconsidering. It may be that there ought to be a self-denying ordinance with regard to the asking of questions, or with regard to the time spent on speeches. These are matters which require detailed consideration by Party Leaders in consultation with Government, and I do hope that my Honourable friend, the Leader of the House will, before we disperse this Session, have such a consultation with Party Leaders.

I then go on to appeal to Leaders and to their Parties to come together with a real determination to try and find ways of saving time. We in this Group yield to nobody in the importance which we attach to our right of freedom of speech and to the opportunity of saying what needs to be said, but we still think that without giving up those rights and privileges, there is scope for saving time in this House. I feel sure that my Honourable friend, the Leader of the House, will accept this point of view and will, in fact, enter into consultation with Party Leaders to try and secure this.

Independently of that, we do in any case support the motion of my Honourable friend, Mr. Hooseinbhoj Lalljee.

Sardar Sant Singh: Sir, it is refreshing to learn from Government that Government regard the Legislatures to be useful bodies.

The Honourable Sir Sultan Ahmed: Certainly. Most certainly.

Sardar Sant Singh: The Members on this side of the House have got themselves elected at great expense and inconvenience too. They were under the impression that the Legislatures were useful bodies but from the experience of the last three or four years they came to realise that they were not useful Members of a useful body but were regarded as obstructionists by Government.

The Honourable Malik Sir Feroz Khan Noon (Defence Member): No, no.

Sardar Sant Singh: So when the Honourable the Leader of the House came forward with such a refreshing expression there was a touch of joy in our breasts. I hope I am expressing the view of the other Members when I say that. At the same time, I would request the Government just to reconcile their position of considering this Legislature to be a useful body with the rule of Ordinances that they have ordained in this country. If Government really want to explore the utility of this House, they should be bold enough to consult this House on matters of policy and on matters which vitally touch the interests of this country. Their method of doing work during this war particularly when the war is regarded to be something very dreadful for any country, is not consistent with the principles of democracy. Therefore, when a Member of this House tabled a motion that the Legislature should be scrapped, there was a feeling of frustration.

An Honourable Member: It was not moved.

Sardar Sant Singh: That was not moved, but it has been referred to by the Honourable the Leader of the House in his speech. I assure him that the feeling of frustration in this country is getting intensified, and whatever they may do to remove the causes that go to the intensification of that feeling, they are really serving themselves and nobody. Therefore, I will say that so far as my Party is concerned, they welcome the proposal of more frequent consultation: but I would add one suggestion or the consideration of the Government: make us really useful advisers, consult us on vital points as well—not merely when a Repealing and Amending Bill comes dealing with a hundred and one Acts. But when vital questions about a certain policy being adopted towards a certain agitation or movement in this country arise you have no consultation with the Legislature. This attitude should be abandoned and I am sure you will find more response from the Members than you have hitherto got.

The second point urged was about the officials being inconvenienced in the discharge of their functions. I will not say duties—no doubt it is true and may be true to a great extent; but is it not helping the officials in the discharge of their duties, apart from their functions, when they sit and listen to helpful criticism about their work, about the methods they should adopt for carrying on the Government

An Honourable Member: No.

Sardar Sant Singh: One official says "No". He is right because he is brought up in the I.C.S. traditions. He does not want it; he believes in despotic methods which he has been taught to respect, more than in democratic methods for which his country is fighting everywhere. Therefore, I would say that if a little change is brought about in the Government of India and the consultation is more frequent, more free, less reserved, the Legislature will serve them greater than they are doing today. Therefore I support this motion.

Dr. Sir Zia Uddin Ahmad: Sir, during the war things are moving very fast; new problems arise, and it is very desirable that we should meet frequently and discuss the new situation. I, therefore, welcome the suggestion of my Honourable friend about frequent meetings of the Legislature.

As regards one of the points, which came by the way, mentioned by the Honourable the Leader of the House, about the number of questions, my complaint is that we are not asking a sufficient number of questions. If we look at the record of questions asked by a single Member in a Session—Mr. Azhar Ali or anybody else—they do not come to the number of questions asked by one single individual, Mr. Satyamurthi, in the course of one week.

Another matter which I have mentioned already on the floor of the House and also to a Member, was that when they do not recognise Muslim unions of railway workers and employees, then who will ventilate their grievances? There is no other alternative but that we Muslim Members of the Legislature will have to form a sort of union ourselves, and according to the Honourable Member, they will waste—and according to us they will utilise—the time of the House to ventilate all their grievances; and you will have not 18 but 200 questions a Member on that day. But if the Honourable Member wishes to solve this problem and to relieve us and himself from a number of questions, he has to recognise our unions.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. Muhammad Azhar Ali: In to-day's debate the Government of India have evinced a mentality and action which in my experience of thirteen years in this House, I have never heard or seen with my eyes. It may be all right for the Government of India to consider themselves immune from mistakes, that they

cannot commit any mistakes in this world, that they are immune from everything that Honourable Members on this side may say on certain occasions. But, Sir, is it right, is it meet and proper for the Government to advance such financial arguments on the floor of this House which cannot stand even for a single moment in any court of justice? My great surprise is that the argument was advanced by such an experienced lawyer of India whom I have heard in our own courts in Lucknow. To advance an argument based on the financial expenditure and to say that simply because a few more questions were tabled in this House by a certain Member—whom he did not want to mention—against new rules, was such a blunder that the Government of India think that they will be forced to incur a great deal of expenditure on that account....

The Honourable Sir Sultan Ahmed: I did not say one word about finance at all.

Mr. Muhammad Azhar Ali: Excuse me. It is a financial question.

The Honourable Sir Sultan Ahmed: Not at all.

Mr. Muhammad Azhar Ali: When you say that you incur great labour, etc., you incur great expense too.

The Honourable Sir Sultan Ahmed: Time and labour. But it has nothing to do with finance.

Mr. Muhammad Azhar Ali: However, I put it to the honesty of the whole House, that if the questions were not tabled for one day, but had been tabled and split up into three days or four days, at the rate of five questions a day, how would it have helped Government? The Government would have incurred the same expense, they would have spent the same time and labour over it. Questions in this House could not be disallowed. They could be refused either by the President or the office. Where was the difficulty for the office? Where was the difficulty I ask, as this has been several times done in this House. The Members of the Government or the office might say to the Member, there are more questions than are prescribed, and they could either refuse or cut them down.

Sardar Sant Singh: The rule is that they can be answered, that the answer can be placed on the table of the House. They cannot be rejected.

Mr. Muhammad Azhar Ali: To say that more expense would have been involved and more labour would have been required—I submit that it could not be more at all.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): They ought to be treated as unstarred questions.

Mr. Muhammad Azhar Ali: They could treat like that, but to refer to it on the floor of the House is simply vindictive, and I can only say from my experience that it was nothing but vindictive in this case on the part of the Government to say that.

The Honourable Sir Sultan Ahmed: Not at all.

Mr. Muhammad Azhar Ali: If such an argument were advanced in any school even by the boys, such a debate would have been considered puerile, and childish. I quite acknowledge that the Government of India to-day has been very broad-minded in giving the House another occasion to come to Delhi for another Assembly Session. But it has also shown how petty-minded the Government of India has become. I submit to the House that it is no use our coming to this Assembly when even in small matters like this holes can be picked because a single Member has given notice of 18 questions for one day and not only five questions. It might have been a slip of the pen or a slip of memory or it might have been due to inadvertence on the part of the Member, but to make it the basis of an argument which such vehemence only shows how petty minded indeed the Government of India has become. I would ask the Government not to bring up these matters on the floor of the House in future. If such an argument were advanced in any court of law, it would have been simply dished like anything or pooh-poohed.

An Honourable Member: Dished?

Mr. Muhammad Azhar Ali: If the Honourable the Railway Member thinks that I have used a wrong word, I repeat that such an argument would have been thrown into the waste paper basket. The Government thinks it is immune from all consequences in these days as the Benches on the right are vacant and you can advance any peurile and petty argument that you want to advance to-day. I again submit that it is very kind of Government to give the Assembly an occasion for discussion in July or August, but I also submit that such arguments should not be advanced again.

(At this stage, Mr. Lalchand Navalrai rose in his seat.)

Mr. Hooseinbhoy A. Lalljee: In view of the statements made by the Leaders of Parties and the Leader of the House I beg to withdraw my motion.

Mr. Lalchand Navalrai: The discussion should not be stifled like that. I want to speak.

Mr. Deputy President (Mr. Akhil Chandra Datta): I do not quite follow the Honourable Member.

Mr. Hooseinbhoy A. Lalljee: I thought that the discussion was over and I wanted to withdraw the cut motion that I have moved, in view of the statements that were made by the Leaders of Parties and the Leader of the House.

Mr. Deputy President (Mr. Akhil Chandra Datta): Has the Honourable Member got the permission of the House to withdraw his motion?

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): No.

Mr. Deputy President (Mr. Akhil Chandra Datta): One Member having objected, I think the rules do not permit the Honourable the Mover of the cut motion to have it withdrawn.

An Honourable Member: Even one Member objecting?

Mr. Deputy President (Mr. Akhil Chandra Datta): Yes, even if a single Member objects.

(At this stage, both Sir Abdul Halim Ghuznavi and Mr. Lalchand Navalrai stood in their seats.)

Sir Abdul Halim Ghuznavi.

Mr. Lalchand Navalrai: Sir, . . .

Mr. Deputy President (Mr. Akhil Chandra Datta): I have called Sir Abdul Halim Ghuznavi. The next chance will be given to Mr. Lalchand Navalrai. Sir Abdul Halim Ghuznavi.

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Sir, I am glad to find that the Honourable the Leader of the House has acceded to the cut motion which my Honourable friend moved. He has stated that in future there would be more frequent sittings of this House. The Honourable the Leader of the House made certain observations before he acceded to what my friend wanted. The first observation he made was that the problem of railway travelling was very acute. Leaving those who have absented themselves, the number of Honourable Members is only 60.

The Honourable Sir Sultan Ahmed: I did not stress all these points. I simply mentioned them.

Sir Abdul Halim Ghuznavi: The Honourable Member should not have mentioned them at all, knowing fully well that the House of Commons in Britain sits from day to day during the war. There is no question of any Sessions there. They are getting an opportunity every month, every week, to discuss the war position, whereas here the Government do not take us into confidence at all. You want us to give you every help but you do not keep us informed of what you are doing and what we should do. That can only be done through the Assembly. My Honourable friend, the Mover, made out one point with which I entirely agree. He said that only two Muslims were elected by the Bombay Presidency. One Member is here. Where is the other member, I wonder! I do not see him here.

Mr. Hooseinbhoy A. Lalljee: Those Benches are all empty.

Sir Abdul Halim Ghuznavi: Much has been made about what the Honourable the Leader of the House said about questions. My friend, Mr. Azhar Ali, got angry. My Honourable friend must know the rule that he cannot put more than five questions during one sitting. What was the idea in putting 18? It is not a question of finance. It is a question of embarrassment to the Government in the sense that they have got to find out the facts and figures to reply to 18 questions, while they do not know which five of the eighteen questions will be asked on any particular day. That is the grievance of the Honourable the Leader of the House. He does not turn down the 18 questions.

Mr. Muhammad Azhar Ali: You invariably support the Government.

Sir Abdul Halim Ghuznavi: This is a point on which one ought to support the Government. The Honourable Member has asked us to co-operate. It is our duty to co-operate. They should not be put to unnecessary trouble and expense; but one can certainly urge the Government to accede to the request for more occasions for the Assembly to sit than obtaining now. I support the motion.

Mr. Deputy President (Mr. Akhil Chandra Datta): Before I call upon Mr. Lalchand Navalrai, may I point out that strictly, under the practice, after a moving Member has asked for permission to withdraw the cut, the question has to be put forthwith. To be frank, I was not aware of that practice. Now, that it has been brought to my notice, it is not proper that there should be any lengthy discussion. I have promised to call Mr. Lalchand Navalrai and I would request him to be very brief.

Mr. Lalchand Navalrai: Sir, I shall be very brief. I wanted to make only one suggestion. It is more or less the sense of the House as well as the view of the Government that the House should be kept more in contact with the Government. It is beneficial to the Government more than to us. When we go out to our constituencies, several people ask us about the war situation and we have to tell that we are sorry, we are not taken into confidence. That reproach against the Government will be removed if the Assembly is called oftener. It is also not without precedent. During my tenure here, on three or four occasions extraordinary Sessions have been called. Now, the suggestion is that the Assembly should meet in July or August.

The Honourable Sir Sultan Ahmed: I have said so.

Mr. Lalchand Navalrai: My suggestion is that it will be very hot in Delhi at that time. It will be very uncomfortable and inconvenient for us to meet in Delhi at that time. I would suggest that the meeting in July and August should be in Simla. If the Honourable Member wants a full House, then the Assembly should meet at least for once in Simla, if the meeting is held in July or August.

Mr. Hooseinbhoy A. Lalljee: Sir, I beg to withdraw my cut motion.

Mr. Deputy President (Mr. Akhil Chandra Datta): That has been objected to.

Mr. Lalchand Navalrai: I do not object now. My object has been served.

Mr. Deputy President (Mr. Akhil Chandra Datta): In that case, I must say that it is not fair to the House.

Has the Honourable Member leave of the House to withdraw his motion.

(Voices—Yes)

The motion was, by leave of the Assembly, withdrawn.

Mr. Deputy President (Mr. Akhil Chandra Datta): The next cut motion is No. 82.

Mr. Hooseinbhoy A. Lalljee: I am not moving 82 and 84 but I propose to move No. 93, under Demand No. 22.

DEMAND No. 22—COMMERCE DEPARTMENT.

The Honourable Sir Jeremy Baisman: Sir, I move:—

"That a sum not exceeding Rs. 12,16,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Commerce Department'."

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That a sum not exceeding Rs. 12,16,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Commerce Department'."

Exports from India and Trade Relationship with other countries.

Mr. Hooseinbhoj A. Lalljee: Sir, I beg to move:

"That the demand under the head 'Commerce Department' be reduced by Rs. 100."

I must say, in the first place, that recently or for some time the Commerce Department have been carrying on the business in the situation they are to the satisfaction of the people. In fact, we have always found recently that they have been trying their level best to put themselves in communication with the interested people and I have not much to say against that policy except that do not put them in so much communication with the Members. My whole object in moving this cut motion is not against the policy that has been recognised that it is the welfare of the country that requires the Commerce Department to support the exports. But these are extraordinary times and in these times we must, to a large extent, reverse the policy as has been done by the world at large. We have had a lot of trouble with regard to many articles in this country and it has been said that this was due to heavy exports. Although I do not believe that the cause of this trouble was all due to heavy exports or that there were heavy exports, however, I would like to draw the attention of the Commerce Department to two things. One is that they should export only as much foodstuff and other things as are really necessary for the purpose of our own army abroad and, secondly, we should export only such things as we can spare to be sent to those markets which have been our customers all these years. We ought not to at the present time encourage any other exports under any circumstances beyond these two objectives. It has been said that the exports have been made at random in 1941 and 1942, but I must say that recently the control that has been set up with regard to the exports has been working to the satisfaction of many businessmen. The great trouble that has recently arisen and to which I would like to draw the pointed attention of the Commerce Department is with regard to the exports that were being made from India to East Africa. The exports are regulated by quotas and I am prepared to prove that the exports to East Africa have not been more than they used to be or anything equal to what they used to be. Therefore, so far as that part is concerned, there is no complaint. But what has happened in the meanwhile? It has happened that the Government in East Africa have thought fit once again to bring in their old policy of trying to keep out India from those markets, the markets which were created by Indians and where the Indians are and have been the real businessmen. It is very regrettable that even during this great war a policy has been attempted to be followed of trying to monopolise the business in the hands of a few foreigners who are only backed by the Government element there. I do not want at the present time to create any bitterness between the different subjects of His Majesty but I do feel that it is high time that we told the responsible people in East Africa that we shall not tolerate any more their attempt during the war and much less after the war to take away our business. Sir, a representation was made to the Honourable the Commerce Member and Honourable the Overseas Member and I must say that the Deputation which represented the Indian merchants of East Africa were pleased with the assurances that were given and I thought that that would be quite sufficient as those responsible in East Africa would know that Government is with us. But what has happened thereafter? As usual, the East African Government have become vindictive. They have got hold of eleven very important businessmen and they have called upon them to submit certain returns which they cannot do and that is with the object of coercing them so that the Indian agitation must be stopped against the formation of their monopolistic tendencies for themselves. I had thought that the Commerce Department must have taken serious notice of this and by now some

action in the matter was taken. Of course, I must concede that in these days it is very difficult to keep in communication and it may have been that they have not had sufficient time but I do ask the Commerce Department specially and Government generally that if they really want the people in the country to help the Government in their endeavours to create good feelings amongst the Indians and Britishers and even other people, they must see that no undue influence prevails with them and they must be strong enough to maintain the position which they have fortunately taken up and I assure them the country is with them. With these words I move my cut motion.

Mr. Deputy President (Mr. Akhil Chandra Datta): Cut motion moved.

“That the demand under the head ‘Commerce Department’ be reduced by Rs. 100.

Mr. T. S. Pillay (Government of India: Nominated Official): Sir, we in the Commerce Department are grateful for what I thought to be the Honourable Member's general trend of remarks, namely, that he approves of the general policy adopted in the Commerce Department with regard to the regulation of exports during war days. Sir, he proceeded to emphasise that in his view we should allow the exports of only those commodities which we could conveniently spare and that we should allow them to go to such markets as were our peace time markets or, as he called them, our usual customers. On another occasion, I believe on a non-official day, I explained the policy of the Government of India in this respect. To restate it, in brief terms, it is this. We do allow the exports of only those commodities which we could conveniently spare consistent with the war effort of the United Nations. We also, as far as is consistent, again, with the war effort of the United Nations, supply those markets who were our customers and who are likely to be our customers and those markets which are very vital for the United war effort. I am sure my Honourable friend, Mr. Hooseinbhoj Lalljee, will take no exception to this policy.

Sir, he drew our attention to one or two aspects of exports to East Africa. As far as we are aware, there seems to be no attempt by the East African Government to monopolise exports into that country, that is, imports from this country into East Africa, into any Government hands. We have received information that in order largely to help them in the administration of their price control policy and also in properly distributing those commodities that are in short supply, they are thinking of certain trade organisation that would handle all these imports and function under Government control. We are very carefully examining, in consultation with all concerned, the agency they are proposing to establish and I am in a position to assure the Honourable

3 P.M. Member that as far as possible we shall see that the normal trade channels are not unduly disturbed. When I say “unduly disturbed” I do not want to take shelter under a vague phrase like that, but what I do mean is this: Honourable Members of this House are fully aware that war conditions demand, in fact, certain alterations in the existing trade channels, it may be that in the interest of shipping and in the interest of war effort certain modifications may have to be made in utilizing the existing trade channels. Subject only to that over-riding consideration only, the Honourable Member may rest assured, Sir, that the Commerce Department maintains and will maintain its policy of not disturbing the existing trade channel.

Sir, the Honourable Member mentioned one more point to which, unfortunately my Department is not in a position to answer. He referred to certain prosecutions of certain Indians in East Africa. We have no information. We in consultation with the Overseas Department are trying to ascertain the facts. If there is anything suggestive of vindictiveness, I am sure, the Honourable Member will be quite satisfied if I tell him that we shall take suitable steps to get justice done.

Mr. Hooseinbhoj A. Lalljee: Sir, I do not wish to press the cut. I wish to withdraw it in view of the statement made by the Honourable Member.

The motion was, by leave of the Assembly, withdrawn.

DEMAND NO. 23—DEPARTMENT OF LABOUR.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a sum not exceeding Rs. 11,84,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of "Department of Labour".

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That a sum not exceeding Rs. 11,84,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of "Department of Labour".

Position of Labour including Indian Seamen.

Mr. Hooseinbhoj A. Lalljee: Sir, I beg to move:

"That the demand under the head 'Department of Labour' be reduced by Rs. 100."

It is very difficult to understand why up to now the Indian seamen who number in India over one hundred thousand are still under the Commerce Department when we have got the Labour Department of our own. However, Sir, I must say that the conditions of Indian seamen are very pitiable. We have had the Indian Merchant Shipping Act enacted some fifty years ago and no change whatsoever has been made in that. There is no provision for the maintenance of the scale of crew for a particular tonnage. There is no provision for the number of crew to be engaged. It is entirely within the discretion of the Master of the ship. There are no working hours fixed on board the ship. The Master of the ship can terminate service at any port where he likes. Furthermore even if a crew is left owing to certain accidental position, or owing to sickness he is unable to work he is discharged at any port by the Master of the ship. It is very difficult for him to be repatriated back into India for a year or sometimes even more, in these times. Sir, we have found such conditions prevailing about any working class of people in these times, and still, Sir, what do we find, it is going on so far as the poor Indian seamen are concerned, who number over one hundred thousand, and who are employed not only in the Merchant Navy but in the Royal Navy as well. Representations have been made by the National Seamen Unions of India to the Government of India, but nothing has been done. In fact, the position has been that the Conventions that are existing in the United Kingdom and the world at large are not given any cognizance here, Sir, this is not all. We find, Sir, that the crew of the Merchant Navy are also to sign in Bombay before the Shipping Master and their condition is almost the same. When they come down to India they are supposed to be paid at once, but for months together they have not been paid. The worst of all is this: I will give you one instance, when in the middle of 1942 a ship by the name of "Montaneil" went down by the enemy's action somewhere between East Africa and South Africa the crew were rescued.

Mr. Deputy President (Mr. Akhil Chandra Datta): The time limit is approaching. If the Honourable Member wishes to have a reply from the Government, he should cut short.

Mr. Hooseinbhoj A. Lalljee: Sir, I will just finish my speech. Sir, this crew were landed on Durban and thereafter nothing was done except that they were laid on the road and a single blanket was given. When they came down to India nothing was done in Bombay for them and the only blanket which was given by the Durban people was taken away. On the other hand what do we find so far as the European crew are concerned. As soon as the European crew land in India they are taken to rest houses and are provided with meals and otherwise. But these poor Indians, as soon as they come to India in Bombay they are left without being paid and without being fed. Sir, I hope the Government will give an assurance that Indian seamen who are doing great work at the peril of life during this war will be given better treatment and something will be done for them.

Mr. Deputy President (Mr. Akhil Chandra Datta): Cut motion moved:

"That the demand under the head 'Department of Labour' be reduced by Rs. 100."

Mr. T. S. Pillay: Sir, I have got only five minutes and I shall endeavour to answer the Honourable Member as best as I can. I must confess that I have

not followed exactly the nature of the grievances he has mentioned. The first grievance which I think was that several Indian seamen were not paid their wages in time. As far as my information goes, they are paid very promptly and no case of undue delay has been brought to our notice. If the Honourable Member can give me actual cases in which there was delay, we shall be very happy indeed to make enquiries. I did make some enquiries about the payment of wages to seamen recruited for the Royal Indian Navy; but there again, it is not in the Commerce Department. I was endeavouring to make enquiries yesterday when the Honourable Member told me informally about this and I found the War Department who are concerned have no information that there is any actual complaint of delay in payment. Here again, I can assure the Honourable Member that I shall make full enquiries if actual cases of delay in payment are brought to notice. As regards the second point where he said that the injured seamen or seamen who were landed after their ship was lost in enemy action were not properly attended to. This is a matter in which I must assure the Honourable Member and the House that all proper arrangements have been made by the Commerce Department through the agency of their shipping office to attend to the comforts of seamen who are being landed in Indian coast under those circumstances. We are getting periodical reports of attention paid to them by the Shipping Masters. There are standing instructions that the Shipping Master himself should go and attend and receive those seamen. There are funds placed at their disposal from His Excellency the Viceroy's War Purposes Fund. They have got full powers to spend out of these funds; they have got powers again to give them all the necessary creature comforts and see that they are sent to their homes. I am really sorry to hear from the Honourable Member that there were cases in which the seamen were not properly attended to. Here again, if the Honourable Member would give me actual cases, I shall have proper enquiries made. I can assure the Honourable Member that the Commerce Department is insisting upon periodical reports from their officers at Bombay and Calcutta of the arrival of such seamen and what arrangements are made for their comfort. My Honourable friend drew my attention to a particular case where the blanket of a seaman was taken away. I must confess I am not aware of the case. If he would give me more particulars, I shall make enquiries and I am sure that I will be in a position to satisfy him that the officers of the shipping office in Bombay are really kind. They are all Indians, one belongs to the class from which seamen come; especially the Shipping Master now in Bombay knows the seamen class very well indeed and shows them great sympathy. If there are any cases of genuine grievances, we will certainly go into them.

Mr. Hooseinbhoj A. Lalljee: What about the Indian Merchant Shipping Act? Have any changes been made anywhere in that Act for the past several years?

The Honourable Sir Jeremy Raisman: The Indian Merchant Shipping Act was very extensively amended within the last ten years.

Mr. Hooseinbhoj A. Lalljee: But the conditions of the seamen remain the same.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is: "That the demand under the head 'Department of Labour' be reduced by Rs. 100." The motion was negatived.

DEMAND No. 56—BROADCASTING.

The Honourable Sir Jeremy Raisman: Sir, I move:

"That a sum not exceeding Rs. 59,64,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Broadcasting'."

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That a sum not exceeding Rs. 59,64,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Broadcasting'."

Grievances of Muslims with regard to Services, Language and Programmes of the Broadcasting Department.

Nawab Siddique Ali Khan (Central Provinces and Berar: Muhammadan): Sir, I move:

"That the demand under the head 'Broadcasting' be reduced by Rs. 100."

Sir, year after year it has been the practice in this House to move cut motions on different subjects to draw the attention of the Government. This year it has fallen to my lot to move this cut motion to draw the attention of the Government. I am moving this cut motion on behalf of the Muslim League. Due to shortness of time, I do not think I will be able to do full justice to the subject. On this cut motion, three issues have been raised. First of all I will take up the programme and language together and will try to establish three things, firstly, that the Broadcasting organisation is propagating the cause of the Hindi Sahitya Sammelan, secondly, that it is manufacturing a new language and thirdly that the standard of programme is deteriorating and favouritism is shown to a particular set of artists.

Sir, regarding the language, protests were made by Hindus as well as Muslims throughout Northern India and in some other parts also. Sir, it is an admitted fact that Urdu is spoken and understood in general throughout the length and breadth of India and in particular in Northern India. Sir, it is also an admitted fact that Urdu is the "common heritage" of both Hindus and Muslims in the words of the Right Honourable Dr. Sapru.

Pandit Nilakantha Das: Then why make it a Muslim league affair?

Nawab Siddique Ali Khan: Even in the army the necessity of Urdu is badly felt. Here is a report before me which was published in the *Statesman* of 10th January, 1940. It was with regard to Belgaum Military School. I will read only the relevant portion from that report.

"The authorities insist on a thorough understanding of Urdu which is considered essential before a young officer is ready to lead his men in battle."

Sir, there is another example. In Cairo, Sir Edward Cook while inaugurating the Army club spoke to the army people who were present there in Urdu so that they could understand him properly.

Sir, sometime back a questionnaire was issued by the All-India Radio. I will now quote the figures of those listeners who expressed a desire to hear programmes in Urdu, which the All India Radio Department calls Hindustani. There are other listeners who wanted to hear programmes in other languages also. The figures as given by the All India Radio are as follows:

In Bombay there are 2,500 Urdu listeners, 2,500 English listeners, 1,700 Gujarati listeners and 1,500 Mahrati listeners.

In Delhi there are 4,800 Urdu listeners and 1,700 English listeners.

In Calcutta there are 3,500 Urdu listeners, 1,700 English listeners and 399 Bengali listeners.

In Madras there are 3,500 Urdu listeners, 1,700 English listeners, 400 Tamil listeners and 200 Telugu listeners.

The total comes to 14,300 Urdu listeners and 7,600 English listeners. These figures do not include the number of Urdu listeners of Lahore and Lucknow stations. If they were to be added to the number of Urdu listeners which I have just now quoted it would go very high. From this it is crystal clear that Urdu is very popular and universal.

Now, Sir, with regard to the words and phrases which the All India Radio organization uses in its broadcasts and announcements. I will show how the All India Radio is encouraging high-sounding Sanskritized Hindi and discouraging Urdu which is understood and spoken by the teeming millions of India. These are the passages and words used by announcers and commentators:

"In ko woh sapthalta nahin mili jiski woh asha kar rahe they. Is yudh ka doosra kiran uch hai ke parja ko shanti nehin mili. Agar woh apni faison ka samahatan thik kar sakey to German ka chopat ho jaiga. Perja sukhi nahin hai. Parantu unka andolan marboot ho gaya hai. New York Times ka sandesa diya gaya hai. Dekh bhagton ne faisla ker liya hai ke is yudh men sara jungi saman juta diya jaiga. Is ne apne nirde

gan ka suboot diya hai. Parantu Parmatma perja ko shakti de ga aur unki asha puri ho jaigi."

The second passage is:

"All India Hindu Mahsabha ke pursal Mr. Savarkar Weerwar ko Delhi pahonchenge."

Sir, I am confident that the majority of the Members of this House, and sepecially my Honourable friend, Sir Feroz Khan Noon, who was very attentively hearing these passages, will not be able to tell me the meaning of the words, "Saphalta", "Yudh", "Sanghatan", "Chopat", "Andolan", "Juta Diya", "Nirde Pan", "Pursal".

Sir, there are Hindi words also which are unnecessarily used in these announcements and comments, e.g., "Parantu", "Santosh", "Swagat", "Widyarthi", "Ankde".

Sir, words equivalent to these, and very simple, are used by Urdu papers, such as, *Tej*, *Milap*, *Riyasat*, and other papers which are owned and edited by Hindu gentlemen. The All-India Radio freely uses some English words also which are quite unnecessary. In the Urdu vocabulary simple words conveying the same meaning or purpose are to be found. They use such words as 'meter', 'copyright reserved', 'broadcast', 'informal', 'imperialistic'. Apart from this they have coined some words and phrases which are ridiculous and absurd. I will quote some of those words: '*Samandar*' meaning sea or ocean. They say '*Mahasagar*'. As far as my knowledge of Hindi goes '*sagar*' means 'tank' and '*Maha*' means 'big': big tank! My submission is that it is not at all necessary to use the word '*Mahasagar*' when you have a simple familiar Sanskrit word '*Samandar*' which is spoken and understood by all.

There is another word, '*Safir*'. They have coined another word for that. They say '*Alchi*'. For the information of those gentlemen who do not know the meaning of '*Safir*', I will say '*Safir*' means 'ambassador', and '*Elchi*' means 'messenger'. So there is a lot of difference.

There is another word in Urdu which is called '*Sangehuniad*' meaning 'foundation-stone'. For that word they have coined another word which is '*Kone ka pathar*' i.e., corner stone.

There is another expression in Urdu, '*Wazahat karna*' which is freely used by these papers. But our learned people of the All-India Radio have translated the expression to '*Khol ke batana*'. If I were to say that Mr. so and so in this Honourable House explained or amplified, the All-India Radio people will say that '*Member Sahab ne Assembly me khol kar bataya*'. Sir, I am sure no gentleman would like to use this expression in decent company, but the All-India Radio people are using this expression '*Khol kar batana*' from morning till night regardless of the fact that among the listeners of the All-India Radio station there are also those who belong to the fair sex!

Sir, it is a pity that Urdu is being mutilated in this manner by some Radio stations in Northern India, and especially in Delhi and Lucknow. Sir, Delhi is admitted to be the cradle of Urdu. It was in Delhi that Urdu was actually born and brought up, and it was in Lucknow that it grew and attained perfection.

Regarding programmes also I will say this much that *Thumri*, *Dadra*, *Dhurpat*, *Todi*, etc., are being broadcast in an increasing number, while '*Ghazals*', *Naats* and Urdu poems are being thrown into oblivion. Religious broadcasts for Muslims are also receiving step-motherly treatment. All this clearly shows that the powers that we are bent upon crushing Urdu. Sir, I will be happy if the language which is spoken in Northern India is introduced, or that language is adopted about which a pact was signed by Dr. Maulvi Abdul Haque and Dr. Rajendra Prasad. I will go even to this length, and I am sure members of my Party will agree with me, that we are willing to accept that language which is spoken by the Right Honourable Dr. Sir Tej Bahadur Sapru.

Sir, the charge of favouritism is an old one. I think this is the proper time to tell the Members of this House that in this respect my Province is

[Nawab Siddique Ali Khan.]

completely ignored. Year before last, I had strongly recommended Professor Shaikh Lal of Nagpur to be given a trial here. He is a well known singer. The Bombay Radio Station invites him every month, but, I am sorry to say, that no heed was paid to my request, and the All-India Radio officers did not even have the courtesy of acknowledging my letter. I may remind the House that Sardar Mangal Singh moved a Resolution in the year 1938 for the appointment of an Enquiry Committee. He had made serious allegations of nepotism and jobbery. I had opposed the Resolution on that occasion on the ground that the organisation was in its infancy and, as such, it was in an experimental stage. I had suggested the appointment of Advisory Committees of competent non-officials for all the Radio Stations. After the lapse of five years and after gaining sufficient experience during this time, I have come to the conclusion that the Department requires overhauling.

Now, I turn to the paucity of Muslims in the Department. Last year on the 23rd of March, 1942, in reply to Nawabzada Liaquat Ali Khan's starred questions, the Honourable the Home Member said that there were only two Muslims working as Station Directors out of 8; there were 7 Assistant Directors only out of which only one was a Muslim; out of 10 Station Engineers one was a Muslim; 6 Muslims were Assistant Engineers out of 41; there were two Muslim Technical Assistants out of 92; there was not a single Muslim out of 8 Installation and Deputy Installation and Research Engineers. According to these statistics, the percentage of Muslim representation comes to 9.6 in the Broadcasting Department. Here I may remind the House that in the year 1934 a Resolution was passed and according to that Resolution, Muslims as a matter of right are entitled to get 25 per cent. representation in all the Services. My information is that some high posts of the All-India Radio organization are excluded from the application of this Resolution of communal representation of 25 per cent. Last year the Honourable the Home Member in replying to a supplementary question put by Nawabzada Liaquat Ali Khan said that a sufficient number of Muslims possessing necessary qualifications and technical training were not coming forward. But, Sir, that is not the fact at present. During the last two recruitments, Muslims possessing necessary technical qualifications applied for the job, but I do not know why their applications were not entertained and they were not offered those jobs. Sir, these are the just, legitimate and long-standing grievances of Muslims. We, the Members on this side of the House, demand that these grievances should be redressed. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Cut motion moved:

"That the demand under the head 'Broadcasting' be reduced by Rs. 100."

Pandit Nilakantha Das: I have nothing particularly to do about the Muslim representation part of the speech of my Honourable friend from Nagpur, the Mover. But something is said about the linguistic character of the Urdu language which interested me very much. Many of my friends in my Province blame me to be a purist in these days so far as the linguistic aspect of my own language is concerned, and I find that my friend the Mover of the cut motion is, like me, a purist. The question, however, is very controversial.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): What is a purist?

Pandit Nilakantha Das: Purist is a puritan.

Maulana Zafar Ali Khan: *Khol kar bataiye.*

Pandit Nilakantha Das: *Khol kar bataiye hun.* Today we find in our vernacular languages even Portuguese words like: *Alkatra* for coal-tar, *Padri* for missionary, *Papaya* for *papita*—a word which we have taken from Malaya. Even if you examine philologically, you will find that in all the Northern Indian languages, which are called Indo-European,—including Urdu, so far as the vocabulary is concerned, more than 50 per cent. is from the Dravidian

stock, which is the language of the land. So a language is known—this is authentic opinion—not by its vocabulary but by the scheme of its syntax. When people come together vocabulary is freely taken from other languages, otherwise in this age you cannot deal with your neighbours. The world distances are so short now-a-days. English people now say 'curry'—that is not their language. Some people might object. They also say 'paddy'—it is taken from Borneo. Even mango is not their language. Same is the case all over the world. Spanish people brought in so many words from South America. For instance 'Guava' comes from 'gualu', a South American word. So is 'tobacco'. Whatever that be, if you object to adopting vocabulary your language will remain stagnant.

Vocabulary also includes idioms, and phrases. In Bengali or my own language Oriya—it is good etiquette to say '*Kholkar batana*'. There is nothing wrong about it; why object to it. Similarly our people object when I say '*Jatna Neba*' (take care) both in Oriya and in Bengali. '*Bisram lena*' in our language means taking rest—these are translated from English idioms and there are so many. Had it been a language class, I would have gone on for hours. We should not object to these things nowadays. We also objected to adopting English words and English expressions; they are sometimes necessary and there have been so many associations for coining scientific words, and the general opinion has been till today that English words should be taken as Latin and Greek words were taken into English. It is necessary, for our ideas nowadays are expressions of the way of thinking and speaking in English. We always express ourselves in English idioms for there are so many things that we were not used to thinking in our own language in our mother tongue. So English must come, and when Urdu is going to be an all India language as my friends of the Muslim League wish, they will not deny me the right to claim it as my own national language and therefore, they ought to accept '*Kholkar batana*'—otherwise there is no help for me. I cannot adopt Urdu. It must be the common language of all and all sorts of vocabulary and idioms must enter into it. The distinctive feature of the language is the scheme of syntax. Of course, the purist section may be useful one way. For instance, in the second millenium B. C. . . .

Mr. Jamnadas M. Mehta: Second or third?

Pandit Nilakantha Das: I think about 1100 or 1500 B. C. among the Mitannians and Hittites there were Aryan elements. Now, from inscriptions orientalists study their languages. Particularly from a word '*satam*' or '*Centum*' which stands for 'hundred' they can find out whether those ancient Aryan people were allied to Indians or to Greeks and other Europeans. If that be an appeal to some of the Honourable members here that some one will come in distant future and find out whether this man was a Punjabi or an Oriya. If that be the outlook then only you can think of these puritanic things. Otherwise I think our language must grow as a common language and the only difficulty in India and the difficulty in the way of our national workers is the want of a national language; and if my Muslim friends were ready to accept Urdu as the national language they know we have no objection; but if they be so puritanic as to stick to only what Sir Tej Bahadur Sapru or Fundit Jawahar Lal Nehru speak or what Sir Sikandar Hayat Khan was prattling when as a child he was speaking to his mother, if that be Urdu, then we poor people will be thrown out. So I appeal to my friends not to raise this. . . .

An Honourable Member: You want your language to be improved: you will not be thrown out.

Pandit Nilakantha Das: My language will be improved or otherwise—I am not in a position to say; but I know a commercial language will grow, and apart from literary languages in the vernaculars, a commercial language will grow in India and that in course of time will be adapted to all other languages by the provincial people, and in course of time again a common literature will

: [Pandit Nilakantha Das.]

grow and that will be the common language—call it Urdu, call it Hindi, call it in any way by any name you like, I do not mind; but do not be so particular about *samandar* or *sagar*—both are Sanskrit words. So this puritanic way of looking at languages will land us nowhere. With these words, I appeal to my friends at least not to be much bothered about that part of the speech which my Honourable friend made on the character of the language in connection with its vocabulary.

Mr. Jamnadas M. Mehta: Sir, I do not wish to make any lengthy observations. I only wish to say to the Honourable the Mover of this proposition that I happen to be the President of certain Listeners' Association in Bombay; and they have made a public protest that the All India Radio which daily broadcasts between 9 and 9-30 p.m. uses high flown Urdu words, not one of which is intelligible to them, '*kamyabi*' and '*shikayat*'—what is the meaning of this *shikayat* and what is *kamyabi*? Is it a *bibi* or gentleman? That is the protest made at public meetings by the users of the radio, that the All India Radio from Delhi between 9 and 9-30 broadcasts in a language which is utterly and absolutely unintelligible to them because there is hardly a word of anything except Urdu—except perhaps by mistake. . . .

Mr. Umar Aly Shah (North Madras: Muhammadan): *Kamyabi* means *Kritakriya* which is a pure Sanskrit word meaning 'successful'.

Mr. Jamnadas M. Mehta: *Kamyabi* means successful, I understand, and *shikayat* means complaints, I understand; but the point is that the large number of listeners in Bombay, 15 lakhs of people, and 3 lakhs in the suburbs, have unitedly made a protest that the Delhi radio. . . .

Mr. Muhammad Nauman: (Patna and Chota Nagpur *cum* Orissa: Muhammadan): That is not the number of radios in Bombay, probably?

Mr. Jamnadas M. Mehta: I am talking of the people, not the number of radios: you kindly take this as a fact that the population of Bombay is 15 lakhs, and 3 lakhs in the suburbs: and amongst them the number who use the radio is a much larger number than elsewhere. I assure you, that they are unitedly protesting that they simply do not understand. . . .

An Honourable Member: What do they understand?

Mr. Jamnadas M. Mehta: They will understand Hindi or local Sanskrit dialects. You must not be surprised if they do not understand Urdu; it is not their crime. Do you admit or not that they have a right to understand if they are to pay for the radio?

Mr. Muhammad Nauman: I say they do understand.

Mr. Jamnadas M. Mehta: No; they do not. *Kamyabi* means nothing to them and *shikayat* means worse; and there are words of that kind which are spoken every three or two seconds by the man who is speaking from the All India Radio.

An Honourable Member: May I know what is the substitute for *kamyabi* and *shikayat*?

Mr. Jamnadas M. Mehta: *Kamyabi* means *Yeshasvi* and *shikayat* means *Fariyad*. I may know them. But those words are not understood there; and what is understood is welcome and what is not understood is not welcome.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): That is precisely our point.

Mr. Jamnadas M. Mehta: I am not blaming you for that. But the All India Radio is under fire from all quarters; that is what I am telling you. When it will evolve something which will please everybody God knows. If the word '*kholkar batana*' is objected to, it shows a diseased mind—there is nothing to laugh at in it. You are laughing at your own diseased mind. You have a diseased pre-conception—it is a pure word. It means 'explain' or make clear. One speaker did not even hesitate to go to the length of bringing women in this. What does it show? It does not show a healthy attitude. I object to that kind of perversion of a language for the sake of pleasing your-

ears for a few minutes. What were you laughing at? At your own ignorance, for half an hour.

An Honourable Member: Your ignorance.

Mr. Jamnadas M. Mehta: It is quite a simple word. It means to make it clear, to expose, to clarify.

Nawab Siddique Ali Khan: On a point of personal explanation, Sir.

Mr. Jamnadas M. Mehta: I am not giving way. I strongly object to the way in which the Honourable Member used that *Kholke batana*. He can explain it in his reply. (Interruption.) I understand you thoroughly. You were going throughout on a wrong track. You were trying to misuse, to abuse a simple word.

Kunwer Hajee Ismaiel Alikhan (Nominated Non-Official): On a point of order, Sir.

Mr. Jamnadas M. Mehta: I am not giving way.

Kunwer Hajee Ismaiel Alikhan: It is a point of order.

Mr. Jamnadas M. Mehta: It is for the Chair.

Mr. Deputy President (Mr. Akhil Chandra Datta): Is it a point of order?

Kunwer Hajee Ismaiel Alikhan: Yes. Is the Honourable Member in order in addressing direct, Members of that Party?

Mr. Deputy President (Mr. Akhil Chandra Datta): It is not a point of order, but I may say that that has been done on almost all occasions.

Mr. Jamnadas M. Mehta: What I say is that if the discussion about words is to be carried on, it should be carried on in a tolerant spirit, in a spirit of accommodation. *Mahasagar* happens to be a Hindi word. It is understood everywhere where the Sanskrit language is the mother of the vernacular. *Mahasagar* and *Samandar* mean the same. The Honourable Member must not think that *Sagar* is a tank. Where did he get it from?

Pandit Nilakantha Das: In the C. P. it means a tank.

Mr. Jamnadas M. Mehta: *Sagar* is not a tank, it is an ocean or sea. It is only by secondary meaning that *Sagar* may mean a tank. *Sagar* means sea. *Mahasagar* means ocean. I have no dogmatic views in this matter. I only say that more tolerance is desirable. In course of time some evolution of a language which all of us will understand will follow, but to go to the length of misrepresenting the words *kholkar batana* to the extent to which my Honourable friend went is to me a perversion, an absolute perversion. That is not the meaning of it. It has the purest, chastest meaning of making it clear, and if you pervert it, it is not the fault of the language. (Interruption.) Certainly not. Those who are using that word are using it with the chastest, cleanest, purest mind; it is your perversity which makes it wrong. I leave that kind of diseased mentality to those who possess it and those who enjoy it. What were you enjoying? Your own ignorance, your own intolerance, not of the Radio men at all. I understand the use of the word *Kholker Batana*, quite clear, from a chaste, clean mind. You bring to bear upon it a dirty mind and you see perversion in it.

An Honourable Member: You cannot even appreciate a joke.

Mr. Jamnadas M. Mehta: Is it a joke? I do not want to have a joke at the expense of women in which the speaker indulged. What is that joke? A joke must be clean and pure. This coarse indulgence, intolerance is not a joke. You forget the difference between wit and coarseness. One point which I really wanted to emphasise was the grievances of the Broadcasting staff. I wish to know from Government whether it is a fact that their wages and their salaries are so low that the right kind of men are leaving the jobs. That is one point to which I wanted to draw the attention of the House if I had not been deflected by this tomfoolery of the wrong use which had been made of the words.

(At this stage, Maulana Zafar Ali Khan rose in his place.)

I will give you ample notice. Don't jump about, the Chair is there to tell me when my time is up. If somebody gets between us it will not be my fault. So, Sir,

[Mr. Jamnadas M. Mehta.]

I want Government to definitely make it clear to the House whether there is anything in the nature of a serious discontent among the staff of the All-India Radio on account of their wages and salaries not being equal to the amount of work they are doing. That point, if it is true as represented to me that a large number of the staff has left or is leaving, would be a matter worth the attention of those who are in charge of the Department. One thing more which I am sorry I have to say. Will the Gentleman in charge of this Department tell the House whether since April up to now the broadcasts reported from the All-India Radio in favour of Pakistan were authorised. What is the number of times that pro-Pakistan broadcasts were allowed and those against Pakistan were systematically shut out. I want to know if he has got a record. How many times any Tom, Dick and Harry who made a speech in favour of Pakistan was reported and how even the most famous people—among whom I do not include myself—who spoke against Pakistan were shut out. I only want to know the number of times. I am not blaming anybody. Then if he thinks that it is one-sided publicity, he might stop it. But let him first of all tell us facts on the floor of the House. I have a complaint that I am compelled to listen to only one-sided version of this controversy. On these two points, the conditions of wages and salaries of the staff, and the one-sided representation of Pakistan propaganda, I want information.

Maulana Zafar Ali Khan: Sir, I wholeheartedly support the motion moved by my Honourable friend, Nawab Siddique Ali Khan. A very interesting discussion has been going on with regard to the rights and claims of Urdu to be regarded as the only dominating language in India, in short, to be the *lingua franca* of India. Our friends like to talk of one India, Akhand Hindustan, one nation, one language. All very good slogans. But when we begin to claim relationship with you on the basis of language, you bring in Hindi, you bring in Sanskrit, you bring in all sorts of explanations to prove the justness of your point of view.

An Honourable Member: Address the Chair.

Maulana Zafar Ali Khan: I can only say that Urdu is the common heritage of both Hindus and Mussalmans. It is the language understood in all parts of the country. It is a common language. . . .

Bhai Parma Nand (West Punjab: Non-Muhammadian): Since what date?

Maulana Zafar Ali Khan: Since the days of Babur, since the days of Shah Jahan, since the days you were born. Let us not quarrel over this question of language. My Honourable friend, Pandit Nilakantha Das, was most reasonable and I welcome his assurance that he would speak the language understood by all the peoples of India and that nobody should quarrel or cavil over what the percentage of Sanskrit in the language is, what the proportion of Persian words in the language ought to be. Languages are not formed in this way. They are the result of thousands of years of inter-language impact. The Mussalmans came 1300 years ago and settled down here and mixed with the Hindus. The civilisation of the Hindus and the civilisation of the Mussalmans joined together and as a result—the linguistic result—one language was born which was common throughout India.

(At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.)

Bhai Parma Nand: Only for the army.

Maulana Zafar Ali Khan: There may be the provincial language, Punjabi for the Punjab, Nagari, Hindi, Oriya, or Tamil, in other provinces, but there is only one common language for the whole of India which is called Urdu. By a compromise between some friends like Maulana Abdul Huq and Babu Rajendra Prasad, the use of the word Urdu was given up and the word Hindustani was used. Where is the harm in sticking to the word Urdu? It is the only language understood by everybody and the only common medium of expression. So, I will not say anything further about the language question. One thing is

left to me to expatiate upon and that is the programme of broadcasts arranged by the All-India Radio. In that programme we find that the All-India Radio is encroaching upon the domain which is forbidden to it.

4 P.M. Sometime ago, in the month of October last, the All-India Radio announced that the lives and teachings of Hazrat Abu Bakr and Hazrat Umar will be broadcast on the All-India Radio. Directly that announcement was made, a few days afterwards it was suddenly announced, without any rhyme or reason, that the programme was withdrawn. Nobody knew the reason for it. Then, later on we came to know from a Shia paper in Lucknow called the *Vasekadar* that when this announcement was made a great outcry arose in certain extreme Shia sections in Lucknow. When I say 'extreme Shia sections' I want to explain it. Everybody in this House knows—all are educated and versed in the history of Islam—that after the Holy Prophet passed away, the leadership of Islam fell to the lot of his old companion Hazrat Abu Bakr. His period of the Khalifate was 2½ years. After him came Hazrat Umar the Great and he ruled for 10 years. After him came Hazrat Usman and Hazrat Ali. The overwhelming majority of the Mussalmans of India and of the world believe that these are the leaders of Islam to whom Islam owes a great debt of gratitude, because, it was during their sway in Arabia that Islam was spread, by proselytization, through Asia and Africa. When other great men are being introduced through the Radio, such as Baba Nanak, Sri Krishna and Sri Ramchandra, Mussalmans have the right to insist that the lives of Hazrat Abu Bakr and Hazrat Umar should also be there. When the All-India Radio announced that the lives and teachings of the two Khalifas would be broadcast from Delhi there was a great outcry in Lucknow and some of the Shia gentlemen of Lucknow came to Delhi and they saw the authorities of the All-India Radio and told them that their religious susceptibilities would be injured if the lives and teachings of these two Khalifas were broadcast and they succeeded in getting the broadcast withdrawn. The *Vasekadar* gleefully declared: "This question of the praise of Abu Bakr and Umar has been settled once for all and any tribute to their memory is not to be allowed. I do not want to make it a Shia Sunni question but this is what a certain extreme type of Shia opinion actually did. Thereupon I wrote to Sir Frederick Puckle who was then the Secretary of the Information Department. His reply was laconic and was couched in language of which only a sun-dried bureaucrat can be capable. He said that he was not going to enter into that discussion. Why not, Sir? This is a question which affects the religious liberty of millions of people and you take a step by which you commit yourself to the strange decision that the lives of Abu Bakr and Umar have no right of being broadcast on the All-India Radio. You simply give a challenge to Mussalmans when you ban their religious liberty. This decision of the All-India Radio has produced a disastrous effect so far as Lucknow is concerned. Only the other day, five people were turned out of 11 districts of Oudh and from Lucknow and Cawnpore and they were not allowed to remain there simply because they wanted to sing the praises of Umar and Abu Bakr. This matter is exercising the Mussulmans of India. We want an assurance from the Radio authorities that in future no such invidious distinction will be allowed and that the All-India Radio will have the same obligation of broadcasting the lives of these religious leaders as of any other religious leaders. Maulvi Abdul Ghani tells me that it was of their own accord that the *Indian Listener*, published under the authority of the All-India Radio, announced that the lives of Abu Bakr and Umar would be broadcast for the benefit of listeners. So, how is it that suddenly it was announced to a surprised world that their own self-imposed programme was withdrawn. We feel very strongly on this subject. The whole Muslim world feels very strongly and we trust that the Government of India would respect its pledges to give religious liberty to every section of the population and not to interfere with it. I tell you that this action is trying us too much. Our patience is exhausted and if immediate steps are not taken to remove our grievances a cry would arise throughout India and the results will not be very happy so far as you are concerned. I support the motion.

Nawabzada Muhammad Liaquat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, there were three points raised by the Honourable the Mover of this motion. Some of the Honourable Members who have followed him have confused the issues which are for the consideration of this Honourable House. One point that was raised by the Honourable the Mover of the motion was that the language which is used by the All-India Radio is the language which is neither spoken nor understood in India; that it is neither Urdu nor Hindi nor English nor Sanskrit but it is a hotch-potch of all these languages. What he was trying to say was that the All-India Radio instead of broadcasting in the language which is generally understood by the people of India, were inventing and developing a language of their own. It may satisfy the desire of some of those who have the destiny of the All-India Radio in their hands to develop their idiosyncrasies but it is certainly not for the benefit of the people for whom this money is being spent and who pay an annual tax and spend money on buying radio sets. Mr. Jamnadas Mehta, as is usual with him, put quite a different interpretation on the speech of the Honourable the Mover. It is unfortunate that Mr. Jamnadas Mehta does not know or understand Urdu. I sympathise with him. I do not say that it is his crime, but it is certainly his misfortune. What my Honourable friend the Mover of the motion was trying to place before the House was that some of the expressions that are used in the language that is broadcast from these stations are such that they have acquired a certain meaning which is not very wholesome or clean. It is not a question of the people having a diseased mentality or anything of the kind. My Honourable friend, Mr. Jamnadas Mehta, knows that in every language there are certain expressions which have acquired certain meanings which the words do not lend themselves to. Therefore, what my Honourable friend, the Mover, was saying was this that at least in this part of the country, I mean in Northern India, where Urdu is spoken and understood most, some of the expressions that are used are such which have not got that meaning attached to those expressions which the words convey. Surely, those people who are in charge of the stations of the All-India Radio are not so ignorant as not to know what meaning certain expressions have. And if they can be avoided, why should they not be avoided? When there are words which can convey the same meaning, why should they not be used? So, there was no question of putting a vulgar interpretation or a vulgar meaning and my Honourable friend, Mr. Jamnadas Mehta, knows very well that in every language there are certain expressions which have certain meanings attached to them which are not very desirable. The words may have any meaning, that is not the point. Therefore, I think Mr. Jamnadas Mehta was neither just nor kind to the Mover of this motion in putting an interpretation on his speech which the Mover neither intended nor could it be attached to it from the way in which he conveyed his meaning.

Mr. Jamnadas M. Mehta: There was laughter for half an hour.

Nawabzada Muhammad Liaquat Ali Khan: That should have been sufficient proof of the fact that that expression is not the one which should be used by the All-India Radio.

Now, Sir, the second point that was raised by the Honourable the Mover was the question of showing favouritism to certain artists and my Honourable friend, the Mover, gave certain instances. I have nothing much to say about it. All I can say is that it is very seldom that I consider it worth while to waste my time on listening to the broadcast which is done by the All-India Radio. It is neither linguistically good nor is it good from the news point of view, or the music point of view or any other point of view. The news that they give you contains hardly any Indian news. It contains those news which you hear again at half-past nine from the B. B. C. After all, it should be the function of the All-India Radio to tell the people of India, what is happening in their own country. My Honourable friends who must have tuned in to this Radio station must have

found that there is hardly any news about India. As far as foreign news are concerned, they are regularly broadcast by all the foreign stations and there are a number of people who listen in to all the foreign stations. So, as far as that goes, it is a general complaint and not only amongst those who understand English but even amongst those who know no other language except Urdu or Hindustani, I do not care what you call it. I pride myself to know something of Urdu and a little of Hindi. My Urdu is not Arabic or Persian; my Urdu is what it really is. In other words, my Urdu is the language that is spoken and understood by practically everyone in Northern India. And I can assure you that on several occasions I found it difficult to understand what is meant by the broadcast which is made from the All-India Radio. The words that are used are such that I am sure that even those who claim that Hindi is their mother tongue will find it difficult to understand them.

Now, there was another point that was raised by Maulana Zafar Ali Khan Sahib. He made a complaint that in the programme which was published by the All-India Radio there were two items included which were about the two Khalifas of Islam and wherein it was stated that a broadcast of their lives will be given. I think the Government were not right in withdrawing that programme. After all, praising the leaders of any sect or religion is not a crime. I can understand if the broadcast was to run down the leaders of any other sect or any other community. If the people belonging to different religions could hear broadcast about the leaders of different religions, then I do not see any reason what objection could anyone have in listening to a broadcast of that kind. And if he did not want to listen to it, there was no compulsion. But to withdraw from the programme an item which had already been included and on the ground, as is presumed, that certain people objected to it was wrong and I think it would be very difficult for the Government to justify this action of theirs. And if they were to say in their reply, as they might, that this question had raised a great deal of trouble in Lucknow and so on and, therefore, they withdrew it in the interest of peace and tranquillity—I am only anticipating what the Government might have to say and I am intervening at this stage because I understand that the Government have only one spokesman on their side and we will not have an opportunity of saying anything after we have heard the Government case. Then I would say that they showed colossal ignorance and callousness in including an item if they knew that it would create trouble when they were already aware what had happened in Lucknow and other places. They should not have included an item of this nature in the programme. But once having included that—having known the whole past history of this question, having been in possession of the facts regarding this matter—once they had placed it on the programme they should not have withdrawn it. They have by their action offered an insult to the leaders of a large section of the Mussalmans, and I find, Sir, that it will be very difficult for the Government to justify their action.

There is another point that was referred to by the Honourable the Mover of this motion and that was the question of the paucity of Mussalmans in the All-India Radio and Broadcasting Department. Last year I asked certain questions and the replies that were given on that occasion by the Honourable the Home Member were most unsatisfactory. His only excuse was that as far as the technical branches of the service were concerned they could not get qualified Mussalmans who could be taken in. I have certain information here which goes to show that during the recent times qualified Mussalmans did apply and yet they were not taken. Now, as was pointed out by the Honourable the Mover of this motion, there is only 9·6 per cent. representation of the Mussalmans in this Department. This is a new Department. This Department has really been started only a few years ago, and if the Government have only succeeded in finding places for Mussalmans to the extent of 9·6 per cent., then I am afraid, unless special effective steps are taken as the Department grows

[Nawabzada Muhammad Liaquat Ali Khan.]

the position of the Mussalmans will become worse and worse. What is the use of your passing Resolution saying that the Mussalmans will get 25 per cent. representation in all the services of the Central Government? If that Resolution was intended to be carried out then steps should have been taken to give effect to the recommendations of that Resolution, but we find that in this matter that action and that care has not been taken by the Government to recruit Mussalmans in this Department, which it was their duty to do. Sir, there are, as was pointed out by the Honourable the Mover of this motion, in certain branches of the Department no Mussalmans and in others out of 92 technical Assistants there are only two and out of 41 Assistant Engineers there are only 6 and so on. I do not want to repeat these figures as they were already brought to the notice of the House and the object of raising this question again on this motion is to find from the Government whether any improvement has taken place in the situation with regard to the representation of the Mussalmans in the Broadcasting Department since last year, and we shall be glad to hear from the Government if the position of the Mussalmans in the Department is any better than what it was last year when I had put certain questions to the Honourable the Home Member. Sir, these were the issues that were raised by the Honourable the Mover of this motion and these issues are very simple and very plain. I only intervened in the debate because I found that the ingenuity of Mr. Jamnadas Mehta had confused the issues which were for the consideration of this Honourable House.

Dr. Sir Zia Uddin Ahmad: Sir, I do not know who is god-father of this orphan and who represents this Department in this House. Any how, I would like to draw the attention of the Honourable Member who is going to reply on behalf of Government to one or two things. The first is: it is the established principle of the Radio that they are not there to carry out the propaganda of any society or of any group. Now, when it is an established practice, I only ask them to follow it. There exist in the country certain societies which are creating artificial language which is not generally spoken in the country. I ask the Radio Department not to carry out the propaganda of those particular societies. I ask them to carry out their broadcast in a language which is spoken and not in a language which is artificially being created by those particular societies. They are not there to carry out their propaganda.

The second thing is this: there are certain words in every language which are unfortunately used in slang manner and it is the duty of the Director to remove those particular words from their broadcast. I will give you a simple example. I was travelling with Mr. Ray in the same compartment. Very innocently I asked him "*kela khao ge*". He explained to me that in Bengali this phrase had ten different meanings and one of them is more obscene than another. That being so in Bengali, it is the duty of the Broadcasting Department, when any person is broadcasting in Hindustani and he uses that phrase innocently, to remove it and substitute it by some other words which have got no obscene meaning. When a person is broadcasting in a language and a particular phrase unfortunately has a slang interpretation, then it is the duty of the Broadcasting Department to remove those words and substitute some simple words for them. The number of slang words are very few. These are the two points which I wanted to bring to the notice of the House.

Bhai Parma Nand: Sir, I rise simply to correct a very wrong impression which the Honourable the Mover of the Motion has got. My Honourable friend, Nawabzada Muhammad Liaquat Ali Khan, pointed out that there are three parts of his speech. As regards the two other parts, about Hazrat Abu Bakr and Hazrat Umar and the objections thereto by the Shias, I, as a Hindu Member, have nothing to say about it. As regards his other point that broadcasting is of no use, that it is neither good music, nor good language and Indian news, my Honourable friends must remember that the head of this Broadcasting Department is Mr. Bokhari who is a Muslim.

Mr. Muhammad Nauman: What difference does it make?

Bhai Parma Nand: Yes, it does, while on the one hand you are clamouring for increased representation of Muslims in the services, here in this branch of the public service, if you are told that the officer-in-charge is a Muslim, he has all along been in charge, you are blaming him for inability. I do not say that, therefore, you should excuse him, better condemn him as much as you can if he is at fault, we have nothing to do with this matter. . . (Interruption.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Bhai Parma Nand: I said, we are not concerned with this. The other point on which there is difference of opinion is this. The Honourable Mover has in a way confused the two words, Hindi and Urdu. He has just shown by figures that the listeners are mostly Urdu; he gave the figure of Urdu listeners as 17,000 or more in the whole of India. May be, there may be more. But I put to him this question whether in Urdu listeners, he includes Hindi listeners also or not. Of course, he does not give the figures for Hindi listeners, naturally he includes both Hindi and Urdu listeners in his term Urdu.

Mr. Muhammad Nauman: These are the figures given by the Department.

Bhai Parma Nand: The next point he referred to was this. He talks of Urdu being the language of all the listeners. My question is whether all these listeners are Urdu knowing or Hindi knowing. If most of them are Hindi knowing persons, then he can have no possible objection to the use of Hindi words in the broadcasting. The wonder is that he has given some quotations of Hindi speeches and he criticises that some words cannot be understood by Urdu knowing people. I can also give instances of Urdu speeches which cannot be understood by Hindi knowing people. Undoubtedly these broadcasts must be understandable and intelligible to as many as possible. Therefore, such words should be used which are easily understood whether they are from Urdu or Hindi. Then again, my Honourable friend should keep in mind the difference in the figures he has quoted that there are a very large number of Hindi knowing people. If Hindi knowing people begin to talk like this, just as for instance my Honourable friend, Mr. Jamnadas Mehta, has told us that Hindi knowing people in Bombay did not understand the Urdu words used in Broadcasts, it is clear that Hindi knowing people can object, just as my Honourable friends have any objection to certain words or phrases that are used in broadcast. My view is plain that if Urdu and Hindi are taken to be one language, then these people should understand and speak Hindi words just as well as they use Urdu words.

Nawabzada Liaquat Ali Khan remarked that Mr. Jamnadas Mehta was wrong and that he altogether mistook the interpretation put by the Honourable Mover on the cut motion. Nawabzada is utterly mistaken. Mr. Jamnadas Mehta had a strong feeling and he expressed it. I also have got the same feeling and I support my Honourable friend, Mr. Jamnadas Mehta, entirely. There may be certain phrases and certain sentences which are quite simple and pure in meaning. If certain classes of people and especially our friends up there think that those phrases or sentences have got a bad sense among them, that is the perversion of their own mind. They may imply a bad meaning in their circle, but that does not make a pure sentence vulgar. They should take its meaning as is clear and tolerate it in its real sense. They claim that "*Wazahat*" is very important but that word is clear to them, not to Hindi knowing persons.

Now coming to the main point, the question is how this Hindi and Urdu problem is to be settled, so far as broadcasting is concerned. This is not a new problem. This question has been raised by my Honourable friend the Mover just now. But I may tell him that this question is a little more than two years old. It was brought in the Committee of Broadcasting. I also happen to be a Member of that Committee. Sir Andrew Clow was the Chairman of that Committee. The Muslim Members of that Committee objected that there were Hindi words which they could not understand. Of course, I, a Hindu, and some other Hindu Members said that Urdu words were used in

[Bhai Parma Nand.]

the broadcasts which the Hindus did not like and which they could not understand. This discussion went on for some time and finally Sir Andrew Clow had to decide it. He concluded that we should prepare a new lexicon of words for the use of broadcasting and those words should be made so common as to be understood by all the listeners to broadcasting. Nawabzada Liaquat Ali Khan said that this language was a sort of hotch-potch. No doubt the language of broadcasting is a sort of hotch-potch. The trouble is that my Muslim friends say they cannot understand Hindi words; on the other hand, the Hindus would say that they cannot understand Urdu words. Naturally, the Committee had to decide upon preparing a new lexicon to prepare a list of proper words and that that lexicon should be in the hands of people and that it should be published in the journal "Listeners" so that people might understand them.

Maulana Zafar Ali Khan: I can understand the language used in *Vir Bharat*, *Prabhat* and *Milap*, but I cannot understand one word of your paper the *Hindu*.

Bhai Parma Nand: You are talking of the Punjab only. But the Punjab is not whole India, the figures given by my Honourable friend do not cover only those from the Punjab; they include those coming from the United Provinces, Central Provinces, Bihar and other Provinces of India possibly Bombay and Bengal also. He has given several thousands of listeners in Calcutta who cannot understand the language used in the Punjab. I do not know whether that decision of the Committee to publish a lexicon was carried into effect or not. Anyhow we arrived at the decision that that is the only way in which we could remove the complaints of Hindus and Muslims altogether. My Honourable friends ought to know that broadcasting has got a special language of its own and that with regard to certain areas, if the listeners want to profit by broadcasting, they ought to know and understand the meaning of words used in broadcasting.

I must point out that my Honourable friend the Mover has in this way confused two words, he calls Urdu as Hindi and then he says that Urdu is the language of all the people in India. I should like to ask him when Urdu was introduced into this country. It was only in the time of Shah Jehan that this was introduced. It was not a language, it was only a sort of vernacular which was to be used in the army. The very word 'Urdu' means "army". Just as we have now-a-days battalions from different Provinces, in those days also there were battalions from different provinces and in order to make all the people in the battalions understand one another, they invented a sort of dialect for themselves. It was not the language of the people. Hindi was the basic language for Urdu and it had been the spoken language of the people in this country for thousands of years. My Honourable friend altogether ignores the existence of Hindi for ages past. He takes one or two words here and there and says he cannot understand those Hindi words and he says his party also cannot understand those words. Therefore, he concludes that Hindi is no language. This is a peculiar and funny way of reasoning of these friends of ours while the fact is that the people of India consider that Hindi is their language and that it has been the language of the people for thousands of years.

Mr. Umar Aly Shah: Hindi is no language. Sanskrit is the language. What is the meaning of the word 'Hindi'. 'Hindi' is not a good term.

Bhai Parma Nand: Sanskrit is the parent language out of which Hindi was developed. Hindi means the language of the people of Hindustan, the people of India. How can Urdu which was invented for the purpose of the Army inter-course, be supposed to be the language of India, the Hindi language which was used for thousands of years is to be thrown away simply because it is not liked by my friends here. With these few words I oppose the motion.

The Honourable Malik Sir Feroz Khan Noon: My only object of intervening in this debate is that I take a great deal of interest in the possibility of a common language for all our people, and I must congratulate Nawabzada

Liaquat Ali Khan in restoring the necessary calm in this debate, which unfortunately had started to move on controversial and perhaps difficult paths. Not one of the Members opposite have ever objected to the use of simple words from any language in the Urdu language. They realise it as well as Members on the other Benches that Urdu was a language originally invented in order that people in this country from all over India as well as from across the border may be able to converse with each other. That took place nearly 700 years ago. It is not a language which was born yesterday, and a language which has lasted for 700 years is a language which has come to stay. Unfortunately now-a-days because the Urdu language is written in Persian or Arabic script, therefore some enthusiastic and misguided people in this country begin to think that it is the language of the Mussalmans only. This is not the case. Urdu is based on many languages and if you pick up any word you will realise that it is not a language which the Muslim religious leaders brought in their pockets from Arabia or Persia. It has grown and it is growing even today. Now take the simple word of "Kamiz". Some might say it is from Arabic. Some might say it is derived from French (*chemise*). Take the word "Patloon". It is derived from the French word "Pantaloons". Again take the word "Kartoots" which is from the French word "Cartoach". Urdu is not based only on Arabic and Persian. It is derived from all languages. My friends opposite have not the least objection to Urdu absorbing words from Hindi, Arabic, Sanskrit, Persian or any other language, so long as it can remain a simple language.

When I came back from England in 1941 and I listened to the Radio I heard the words, "Uttar", "Pachcham", "Dakhan" and "Purab". In my school days we had learnt Shumal, Maghrib, Janoob, and Mashriq, and except for the word "Dakhen" I did not understand the others. Eventually by process of elimination I found that "Purab" must be the country of the Furbias, "Pachcham" meant west, "Dakhan" meant south, and "Uttar" meant north. All the time that I heard these new words a wave of pleasure and pride went into my mind, because I knew that our language was absorbing more and more words, and words which were acceptable to the majority community in this country. Therefore, nobody welcomes more than the Mussalmans an absorption of Hindi and Sanskrit and other words into Urdu language so long as they are simple.

In my last tour in November, I moved about in Southern India and I went and saw a lot of troops. The language of the Army is rather interesting because a very large number of recruits now coming into the Army come from Madras, and the language spoken in the Army is Hindustani. You can abolish the word Urdu and you can abolish the word Hindi. Let us call it Hindustani for a compromise. In Southern India I saw that in these new schools for recruits they were being taught Hindustani.

(*Interruption by Mr. Umar Aly Shah.*)

I think if the Honourable Member were to have a drink of cold water he would probably derive a little pleasure from what I am saying!

In these Army schools they have boys who have been recruited in Madras who know no other language except Tamil and Telugu. I even went and tested these boys and asked them: 'Did you know any Urdu before you came here?' And those who said, yes, I eliminated them. Then I got hold of the boys who never knew a word of Urdu or Hindi before they came to the recruiting centres, and believe me that within 10 weeks those boys were speaking Urdu, or Hindi let us say, if that pleases anybody, or Hindustani if my friend will not be too angry. So it is a simple language and for the purpose of the Army we need a language like that because if you get boys from Madras and officers from the Punjab; or officers from Madras and boys from the Punjab, in which language are they going to talk with each other? Educated people can use the English language but that is not the privilege of many, and throughout the whole Indian Army now they are teaching them Hindustani in the Roman characters and making these people literate, and it takes only 10 weeks to make one of these boys learn this language.

Pandit Nilakantha Das: Hindustani without the verbal gender!

The Honourable Malik Sir Feroz Khan Noon: I leave this to your learned mind. But they are being taught the simple Urdu and simple Hindustani. They are learning that in 10 weeks. I would ask the House to be patient and tolerant. It is in a spirit of toleration and patience that we can evolve a *lingua franca* for this country. Whether you divide this country into five bits, or keep it united, you must have a common language. If that has to come into existence, it must be based on words which come from all languages, so that it is the language of all people, and that is what my friends on the opposite side have been pressing for. All that they want is that they should be simple words and be understood by everybody. They do not object to the absorption of a few words from here and there. Only then can Urdu become a real language and worthy of the great future that lies before it as the *lingua franca* of our motherland.

The Honourable Sir Reginald Maxwell (Home Member): Sir, not very much time remains for me to reply to all the very miscellaneous points raised in this debate, which has in fact ranged almost over all the operations of the Broadcasting Department. One isolated point raised by Mr. Jamnadas Mehta I would answer now, and that is that it has been recognised that the salaries paid in this Department have not been altogether adequate and their readjustment has been and is under very active consideration, and I hope that results will be reached fairly soon.

The main topics of this discussion have been three. The first was the communal composition of the staff of the Department and I will take that first, although not very much has been said about it in this debate. It has got to be remembered that a certain number of posts in the Department have been already exempted from the communal orders because they are isolated posts or they require some special qualifications. That exemption is not an arbitrary one. Before any post is exempted from the communal orders the means of filling it and the nature of the qualifications required are examined very carefully in order to ascertain whether it is a post to which this special exemption should apply. The number of such posts is limited and no complaint can be made about their composition because there is no communal claim on any of them. But the bulk of the posts in the Department are subject to the communal orders. Now, I have been supplied with figures showing how the Department is staffed, and I find that among all the non-gazetted posts, out of a total of 630 posts filled, 156 are filled by Muslims. That is almost exactly the prescribed 25 per cent.

Dr. Sir Zia Uddin Ahmad: Including peons and chaprasis?

The Honourable Sir Reginald Maxwell: Not chaprasis, as far as I can see.

One point emerges from the study of this list and it is that to which Nawabzada Liaquat Ali Khan drew attention and that is the paucity of Muslims in the ranks of Assistant Engineers and Technical Assistants. That is an unfortunate, but important, defect, because these posts are the reservoir from which promotions are made to certain superior posts, and it is, therefore, not surprising to find that among the gazetted posts in the All-India Radio the portion held by Muslims is below the prescribed percentage even in posts to which the communal orders are applicable.

Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): What does it come to?

The Honourable Sir Reginald Maxwell: On the figures supplied to me of these miscellaneous posts, practically all of a technical character, there are 30 of them of which 2 are held by Muslims. There are also three isolated posts at the Headquarters.

Sardar Sant Singh: I would like the Honourable Member to give the number of appointments made from other communities.

The Honourable Sir Reginald Maxwell: It would take too long for me to go into such details, because I would like to finish by 5 O'clock.

The trouble, therefore, really is in obtaining Muslims having the requisite technical qualifications for these lower grades from which the higher technical grades can be filled. Many efforts have been made in the past to improve the recruitment of Muslims for posts of technical assistants and it must be remembered that recruitment of these two grades is made through the Federal Public Service Commission and the Board of Selection in Delhi, and there is nothing arbitrary about the manner in which they are filled. In 1939 special orders were passed to enable selective appointments of Muslims to these ranks, but they were not successful in obtaining more candidates. The real reason for scarcity of Muslim candidates is that so few Muslims take training in wireless engineering which is of a specialized nature. However, I can assure Honourable Members that special efforts are still being made to find ways in which better facilities may be afforded to Muslims for entering the technical grades.

Now, as regards the language policy of the All India Radio, the House has already heard the speech of my Honourable friend the Defence Member which has, or should have, brought prominently to the notice of the House the real issue involved in this policy. These Hindustani broadcasts are not meant to represent either Urdu or Hindi purely. The object is to establish some kind of compromise with the main object of obtaining the maximum intelligibility over an area which extends as far as Peshawar, Nagpur, Patna and Bombay. It is not easy for anyone to find an exact vocabulary which will suit all the various listeners in this very large area, and, therefore, it is absolutely necessary to adopt a certain amount of compromise, and, as my Honourable colleague has just pointed out, the efforts made to reach such a compromise may ultimately be very much for the good of this country in helping it to establish a common language. Of course, the only alternative would be to have separate Urdu and Hindi news bulletins, and even if that could be done we should have to go on with the same policy and have separatism in various other categories, such as talks, plays and songs. And, again, much of that would be a waste of valuable broadcasting time, because news bulletins must be in simple language and a simple Hindi bulletin will differ from a simple Urdu bulletin only in a very limited number of words and, therefore, separate bulletins in these two languages would mainly be a duplication at the cost of valuable time.

Now, I have very little time left to deal with the question of programmes, but very little was said about them in this debate. There again it is a question of compromise. The All-India Radio have to balance the communal interests of a particular community against the interests of the general listener and while gratifying the former, they make an effort not to make the programmes too exclusive in character so that the general listener will not find material of interest in them. Too many special items of a communal character tend to crowd out items of general interest and, of course, lead to further demands of the same kind, and, therefore, after very careful consultation with Station Directors the policy has been adopted of reducing, as far as possible, the number of items of what I might call a quasi-religious or mainly communal character without at the same time reducing the purely religious items. I have a chart showing the time allotted at all stations to items of a really religious character and they are fully catered for, but apart from items of that kind, it must be the policy of the All-India Radio to make its programmes acceptable to the general listener and not to have too many specialized items.

Maulana Zafar Ali Khan: Are we to understand that in future the lives and teachings of Hazrat Abu Bakr and Hazrat Umar Faruque will be excluded from the All-India Radio programmes?

The Honourable Sir Reginald Maxwell: I do not think there is any intention of excluding such items. It is a matter for decision in relation to the programme as a whole. I do not know exactly what the policy is, or is likely to

[Sir Reginald Maxwell.]

be, on those matters, but surely it is not part of the policy, as far as I can understand it, to exclude items of such a character more especially if they seem to be of some general interest.

Maulana Zafar Ali Khan: Why were the names of these two Khalifas of Islam withdrawn from the broadcasts?

The Honourable Sir Reginald Maxwell: It is in accordance with the policy of, as far as possible, restricting the space devoted to matters of a mainly communal interest, but I have no doubt that if the matter were properly represented to the All-India Radio

Maulana Zafar Ali Khan: There is nothing communal about it.

The Honourable Sir Reginald Maxwell: they would be prepared to meet the wishes of a particular community in matters of that kind so far as it is compatible with the general principles which I have explained to the House. That is all I have time to say and I hope the House will accept these explanations.

Nawabzada Muhammad Liaquat Ali Khan: May I know why were these two items regarding the two Caliphs of Islam included in the programme and published and then withdrawn?

The Honourable Sir Reginald Maxwell: I am sorry I have not got precise information. The Honourable Member will realise that this is not my department and I cannot answer such questions off-hand.

Nawabzada Muhammad Liaquat Ali Khan: Whose department is it, may we know?

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member had better put down a question in proper form.

The question is:

"That the demand under the head 'Broadcasting' be reduced by Rs. 100."

The Assembly divided:

AYES—14.

Abdul Ghani, Maulvi Muhammad.
Azhar Ali, Mr. Muhammad.
Essak Sait, Mr. H. A. Sathar H.
Fazl-i-Haq. Piracha, Khan Bahadur
Shaikh.
Iamail Khan, Hajee Chowdhury Muham-
mad.
Liaquat Ali Khan, Nawabzada Muham-
mad.

Murtuza Sahib Bahadur, Maulvi Syed.
Nairang, Syed Ghulam Bhik.
Nauman, Mr. Muhammad.
Siddique Ali Khan, Nawab.
Umar Aly Shah, Mr.
Yusuf Abdoola Haroon, Seth.
Zafar Ali Khan, Maulana.
Zia Uddin Ahmad, Dr. Sir.

NOES—31.

Abdul Hamid, Khan Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ambedkar, The Honourable Dr. B. R.
Bentham, The Honourable Sir Edward.
Bewoor, Sir Gurnath.
Bhagchand Soni, Rai Bahadur Seth.
Bozman, Mr. G. S.
Chettiar, Dr. Rajah Sir Annamalai.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain
Dehejia, Mr. V. T.
Haider, Khan Bahadur Shamsuddin.
Imam, Mr. Saiyid Haider.
Jawahar Singh, Sardar Bahadur Sardar
Sir.
Kamaluddin Ahmad, Shamsul-Ulema.

Kushal Pal Singh, Raja Bahadur.
Lalchand Navalrai, Mr.
Mackeown, Mr. J. A.
Maxwell, The Honourable Sir Reginald.
Mehta, Mr. Jamnadas M.
Noon, The Honourable Malik Sir Feroz
Khan.
Pai, Mr. A. V.
Parma Nand, Bhai.
Raisman, The Honourable Sir Jeremy.
Spear, Dr. T. G. P.
Spence, Sir George.
Sundaresan, Mr. N.
Thakur Singh, Major.
Trivedi, Mr. C. M.
Tyson, Mr. J. D.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 10th March, 1948.

LEGISLATIVE ASSEMBLY

Wednesday, 10th March, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

GUARDS ON NORTH WESTERN RAILWAY.

271. *Sardar Sant Singh: With reference to the answers to unstarred questions No. 26 (c), and 27 of the 5th November, 1940, asked on the 23rd February, 1940, regarding the grades for Guards on the North Western Railway, will the Honourable Member for Railways please state the result of the consideration mentioned?

The Honourable Sir Edward Benthall: The position has been explained in the speech of the Honourable Member for Railways reported at page 741 of the Legislative Assembly Debates, Volume I, No. 11, for 26th February, 1941.

GUARDS ON NORTH WESTERN RAILWAY.

272. *Sardar Sant Singh: Will the Honourable Member for Railways please lay on the table of the House a statement showing:

- (i) the sanctioned and actual strength of each of I, II, III, IV grades for Guards on the North Western Railway for each Division, separately, employed in the old and new scales of pay as on the 1st January, 1943; and
- (ii) the number of Guards on the North Western Railway in each Division, separately, who are blocked on Rs. 68 and Rs. 115 showing the length of their blockade in years as on 1st January, 1943?

The Honourable Sir Edward Benthall: (i) and (ii). I have no information beyond that contained in the replies to the Honourable Member's following questions; unstarred question No. 109 asked on the 16th March, 1941, and starred question No. 149 asked on the 23rd February, 1940, respectively.

Sardar Sant Singh: May I know if there has been any change since then?

The Honourable Sir Edward Benthall: I have no information.

Sardar Sant Singh: Will the Honourable Member make enquiries?

The Honourable Sir Edward Benthall: An enquiry would take a good deal of time and I do not think that in the present circumstances it will be justified.

Sardar Sant Singh: May I know if the Honourable Member is aware of the fact that the guards on the N. W. R. are asked to do higher work with lesser pay?

The Honourable Sir Edward Benthall: Not with lesser pay. This matter was very carefully enquired into by my predecessor. He spent a great deal of time and trouble over it and I understand that he was satisfied with the position.

Mr. Lalchand Navalrai: May I know if they are paid any overtime allowance?

The Honourable Sir Edward Benthall: I understand so, but I should require notice of that question.

INSTRUCTIONS FOR AVOIDING LONG WORKING HOURS FOR THE RAILWAY RUNNING STAFF.

273. *Sardar Sant Singh: (a) Will the Honourable Member for Railways please refer to his speech in the Legislative Assembly on the 19th February, 1943, in reply to the General Discussion on the Railway Budget and lay on the table of the House a copy of the instructions issued to Railways to avoid long hours of work, especially for the running staff?

(b) With a view to avoiding hardship to the running staff for long duty hours extracted under rule 787D of the old Operating Manual, has the

Honourable Member fixed some definite unalterable maximum number of hours for the working of the running staff assuring sufficient rest?

The Honourable Sir Edward Benthall: (a) No.

(b) No. In pursuance, however of my undertaking to the House, the question of long working hours is undergoing a fresh investigation.

Mr. Lalchand Navalrai: May I know when the Honourable Member undertook to go into this question and how long still it will take?

The Honourable Sir Edward Benthall: To enquire into the working hours of running staff all over the railways will naturally take a considerable time if it is to be done thoroughly.

Mr. Lalchand Navalrai: There is the question of their working overtime at present, and therefore this matter should be decided soon. May I know if it will be taken up early? After the budget is over the Honourable Member may go into that question or rather ask the General Manager to do it and come to a conclusion.

The Honourable Sir Edward Benthall: I have informed the Honourable Member that I have already initiated investigation.

Mr. Lalchand Navalrai: Hurry it up.

CANCELLATION OF PROMOTIONS OF TWO SIKH STATION MASTERS IN RAWALPINDI DIVISION, NORTH WESTERN RAILWAY.

274. *Sardar Sant Singh: (a) Will the Honourable the Railway Member please state if it is within the competence of a General Manager alone to order the promotion of station-masters from Grade V to Grade VI? If so, is it a fact that the General Manager, North Western Railway, ordered two Sikh station-masters in the Rawalpindi Division to be promoted from grade V to grade VI in February 1942 or thereabout?

(b) Is it a fact that the order for promotion was communicated to one of them? If so, is it a fact that the said order was withheld from being communicated to the other? If so, who withheld that order and under what authority?

(c) Is it a fact that subsequently both orders for promotion were got cancelled? If so, at whose instance?

(d) Were there any adverse remarks against these two Sikh station-masters prior to the passing of the order for promotion? If not, is it not a fact that communal considerations outweighed with the Divisional Superintendent over the first claims of the two Sikhs in the matter of promotion?

(e) Is it a fact that I brought the matter of communal consideration to the notice of the General Manager? If so, what action was taken on that representation?

(f) What is the position now about these promotions?

The Honourable Sir Edward Benthall: (a) As regards the first part, the promotions referred to are made on the recommendation of the Selection Board held in the Headquarters Office who in making their recommendations take into account the reports of the Divisional Superintendent who is the competent authority for passing the orders. The second part does not arise, but I am informed that the Selection Board recommended in succession two Sikh station masters of the Rawalpindi Division for promotion to station master Grade VI in February and March, 1942.

(b) The reply to the first part is in the affirmative. As regards the second part, the competent authority did not issue orders of promotion. The third and fourth parts do not arise.

(c) The orders issued in the case of the first man were cancelled; as stated in reply to part (a), no orders were issued to the second. As regards the last part, the Divisional Superintendent, Rawalpindi.

(d) In the case of one, I am informed the previous year's confidential report was not entirely satisfactory; in the case of the other, a complaint received at

about the time he was selected required investigation. As regards the second part, the reply is in the negative.

(e) I am informed that the Honourable Member did what he claims to have done. As regards the second part, the Administration, after investigation, held that there was no justification for the charge made.

(f) One of the men concerned has not been considered fit for promotion; the other is at present considered fit for promotion and subject to his continuing to be so will be promoted in due course.

Sardar Sant Singh: May I ask the Honourable Member if the order had been passed and had been communicated to the person to be promoted? Is it permissible under any rule of equity or justice to withdraw or withhold that order?

The Honourable Sir Edward Benthall: Yes, because reports at that time in the case of this particular man were not satisfactory and necessitated investigation.

Sardar Sant Singh: May I ask who considered the report to be unsatisfactory? When the order was passed, was not that report taken into consideration?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is arguing.

The Honourable Sir Edward Benthall: No. The report was received subsequent to the first report of the Divisional Superintendent which was submitted to the Selection Board.

Sardar Sant Singh: May I ask the Honourable Member to explain to the House this curious procedure—selection is made, the man is promoted, orders are issued and orders are communicated to the person concerned

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is again arguing.

Sardar Sant Singh: May I ask if there is any rule of service by which such order can be withheld by subordinates?

The Honourable Sir Edward Benthall: I cannot without notice point to the rules of service which cover that point, but it seems to me common sense that if unsatisfactory reports are received about a particular man he should not be promoted at that particular time.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

Sardar Sant Singh: May I submit one supplementary question? This is an important question.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

Sardar Sant Singh: I want to elicit information. This is a most abnormal case.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got enough information.

Sardar Sant Singh: This is a question of communal consideration. That is why I am asking. . . .

The Honourable Sir Edward Benthall: Communal questions do not enter into it at all.

Mr. President (The Honourable Sir Abdur Rahim): Next question. Bhai Parma Nand.

CONSERVANCY CONTRACT IN RAILWAY COLONY AT GHAZIABAD.

275. *Bhai Parma Nand: (a) Will the Honourable the Railway Member be pleased to state if he is aware that:

- (i) in the Railway Colony at Ghaziabad the conservancy contract has been held by a contractor for the last ten years with only a few breaks;
- (ii) although according to the terms of the contract the Railway was to supply carts in working order, the Railway have failed to discharge their part of contract and although the Divisional Superintendent, Delhi, ordered the thorough repair of the carts or their replacement

by new ones, nothing has been done by the Sanitary Inspector and the A. E. N. to improve their condition;

(iii) on account of no improvement being made and no heed paid to his complaints by the Sanitary Inspector, the contractor has been obliged to use his own carts and although he has been urging for an enquiry into his grievance, nothing has been done in the matter;

(iv) the contractor has not been paid since April, 1942, and the Sanitary Inspector whose duty it was to prepare bills, marked the animals and drivers as absent although according to the terms of the contract the animals and drivers could be marked absent only when they were actually absent and not because their work was not up to the mark?

(b) Is it a fact that the contractor represented to the authorities that as the price of all commodities had gone up three to four hundred per cent., the amount of contract should be increased by at least a hundred per cent., but no decision has been taken on his representation?

The Honourable Sir Edward Benthall: Government have no information and do not consider that the amount of time and labour involved in its collection is justifiable in War time. A copy of the question will however be forwarded to the General Manager, North Western Railway for such action as he may consider necessary.

Mr. Lalchand Navalrai: May I know if the Honourable Member is aware that this contractor actually made complaints that the sanitary inspector was coming in his way on account of certain ulterior motives? What was done to the complaint that was made to the Divisional Superintendent?

The Honourable Sir Edward Benthall: I have already undertaken to take up the whole matter with the General Manager of the N. W. R.

Mr. Lalchand Navalrai: Will the Honourable Member enquire into that report that the sanitary inspector is really inimical to this contractor and the contractor is fed up with the contract?

The Honourable Sir Edward Benthall: I dare say that other contractors will take on the work if necessary. But in any case I have undertaken to refer the matter to the General Manager.

Mr. Lalchand Navalrai: All right, but I may tell the Honourable Member that there is no other contractor so competent as this man.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

LONG WORKING HOURS FOR THE RAILWAY RUNNING STAFF.

276. *Mr. Lalchand Navalrai: With reference to the Honourable the Railway Member's speech on the 19th February last, in reply to the General Discussion on the Railway Budget, to the effect that the complaint regarding long hours of work on railways was incorrect, will he be pleased to state:

(a) whether his observations apply to the members of the running staff as well; if not, does he propose to make enquiries in regard to their hours of work;

(b) if it is a fact that a guard or an engine crew on the North Western Railway can claim rest only after 16 hours' continuous work;

(c) if it is a fact that such employees are frequently on duty for 16 hours or more with Shunting and Van Goods Trains;

(d) if it is proposed to issue instructions that no member of the running staff should be employed at work continuously for more than 12 hours; if not, why not; and

(e) the reasons for laying down the maximum of 16 hours' work at a stretch for members of the running staff?

The Honourable Sir Edward Benthall: (a) The answer to the first part is in the affirmative; the second part does not arise.

(b) Yes, but this is not to say that under normal conditions guards actually remain on duty for 16 hours.

(c) I have no information which suggests that the occurrence is frequent.

(d) The answer to the first part is in the negative; as regards the second part, the matter is one which will receive attention when the application of the Hours of Employment Regulations to running staff is considered after the war.

(e) The railway considers this reasonable taking into account all the circumstances.

Mr. Lalchand Navalrai: May I know if it is a fact that they have to work actually for 16 hours or they are made to work for 16 hours?

The Honourable Sir Edward Benthall: They are not made to work for 16 hours, but the exigencies of service in war time sometimes necessitate their doing so.

Mr. Lalchand Navalrai: Is it without any more compensation to them?

The Honourable Sir Edward Benthall: They receive overtime or mileage, which I think reconciles them to some extent.

RIGHT TO GRATUITY ON RESIGNATION BY RAILWAY EMPLOYEES WITH OVER 15 YEARS' SERVICE.

277. *Mr. Lalchand Navalrai: Will the Honourable Member for Railways be pleased to state:

(a) whether it is a fact that employees with over 15 years of service are entitled to Special Contribution (Gratuity) on discharge from service;

(b) whether it is a fact that employees with over 15 years of service while resigning their employment in terms of agreement, are not entitled to gratuity unless the grounds for such resignation are admitted as good and sufficient from the point of view of the Railway Administration; if so, the reason for this discriminatory treatment;

(c) the reasons which are admitted as satisfying the conditions referred to in (b) above; if the Railway Board or local administrations have issued any instructions on the point; if not, why not;

(d) if it is a fact that a proviso to this effect was added to Rule 1508 (b) of the State Railway Establishment Code, Volume I; what the intention of this proviso was; and

(e) if the reply to the first portion of (d) be in the affirmative, if the rules will be suitably amended to make the intention clear; if not, why not?

The Honourable Sir Edward Benthall: (a) Nobody is entitled to special contribution (gratuity) as a matter of right. Under the rules, an employee with over 15 years' service is eligible for special contribution, if discharged for reasons other than misconduct.

(b) The reply is in the affirmative. Government see no discrimination in this.

(c) Such reasons cannot be catalogued. Each case has to be considered on its merits, and the question of any instructions by the Railway Board or the local administrations does not arise.

(d) The proviso was not added, but already existed in the original rule. The intention of the rule is to discourage persons from resigning for inadequate reasons.

(e) Does not arise.

Mr. Lalchand Navalrai: The resignation is given because they have very strong reasons for doing so. In that case, why should they not get gratuity? Will they get it?

The Honourable Sir Edward Benthall: The Railway Administration has to be the judge whether the reasons given are good and sufficient.

SUPPLY OF MACHINERY FOR CHEMICAL INDUSTRIES.

1278. ***Mr. K. C. Neogy:** (a) Will the Honourable Member representing the Supply Department be pleased to state whether machinery and other equipments for chemical industries have been, or are proposed to be, imported at the instance of the Government and supplied to different parties for the purpose of undertaking the manufacture of specific chemicals? If so, does he propose to explain the policy of Government in this matter, indicating the considerations that determine the selection of the individual parties for the purpose of undertaking different specific industries, and the terms on which the agreements are made with them?

(b) What are the names of the parties that have so far been selected for being supplied with machinery and other equipments under this scheme, indicating the cost of the machinery supplied to each and the nature of the chemicals which each such party is expected to manufacture?

Mr. J. A. Mackeown: (a) The Government of India hope to be able to establish or increase the manufacture of certain chemicals, but the availability of imported plant is not certain in all cases. The present intention is not to instal Government factories, but to have factories installed by private firms.

The selection of firms will depend on a number of factors, such as geographical location, availability of power, previous experience, capacity to make the best use of the plant and others. Generally speaking, the projects will be financed by the selected firms, while Government will give every assistance in obtaining plant and the services of technical personnel. Distribution of the products and prices will be controlled by Government and the selected firms will be required to pay for all items of plant imported by or for them. If plant is secured from the United States Government on Lease/Lend its transfer to a private party will of course be subject to the conditions attaching to the use of Lease/Lend goods.

(b) No final selection has been made in any case.

UNSTARRED QUESTIONS AND ANSWERS.

GUARDS ON NORTH WESTERN RAILWAY.

46. **Sardar Sant Singh:** Will the Honourable Member for Railways please state if the Running Links for Guards are enforced on the North Western Railway? If so, what is the number of guards with their grades who are required to work on Mail, Express, Passenger, Branch and Luggage trains, separately, for each Division as required under the latest Time Table?

The Honourable Sir Edward Benthall: As regards the first part, Government understand that links for guards are in force on the North Western Railway. As regards the second part, information is not readily available and Government regret they cannot undertake to collect it under present circumstances.

SETTLEMENT PASSES TO RETIRED RAILWAYMEN.

47. **Sardar Sant Singh:** Will the Honourable Member for Railways please state if settlement passes are given to railwaymen who retire from service for taking their luggage and live-stock to their native places if they be on the foreign railways? If not, why not?

The Honourable Sir Edward Benthall: I understand that settlement passes are given under Conference Regulations to certain Railway employees on retirement. These cover the usual luggage allowance admissible on a pass but not live-stock. Reciprocal arrangements exist by which certain Railways issue passes for extra luggage to retired employees and for transport of their live-stock to their native places at concession rates.

EXPENDITURE ON COMPILATION OF COST OF LIVING INDEX.

48. **Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state how the provision for Rs. 25,000 for the compilation of the Cost of Living Index, referred to on page 16 of the "Demands for Grant for 1943-44" was spent?

+Answer to this question laid on the table, the questioner being absent.

(b) Have any figures for the Cost of Living Index been collected on behalf of Railways, and have they been published? If so, where?

(c) Does the Honourable Member propose to make a brief statement giving important details as to how the sum of Rs. 75,000 budgeted for the year 1943-44 for the Compilation of Cost of Living Index is proposed to be spent and what benefit will be derived by Railways and railwaymen therefrom?

The Honourable Sir Edward Benthall: (a) The amount represents the railways share of the expenses incurred in the Scheme, most of which relate to payments to staff collecting the data.

(b) Not yet; the second part does not arise.

(c) The amount is made up as follows:—

Half share of cost of Central Organization—44 thousand, quarter share of cost of Provincial Organisation—25 thousand; full share of rural area scheme—4 thousand; rounded off to—75 thousand.

As regards the second part, Government accepted the recommendation of the Rau Report that steps should be taken to compile reliable cost of living indices and Railways as a large employer of labour stand to gain whatever advantage may accrue from the existence of such figures.

MOTION FOR ADJOURNMENT.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of an adjournment motion from Bhai Parma Nand. The notice was handed in just as I was coming into the Chamber. The Honourable Member ought to know that he ought to have allowed me a few minutes to read the notice and consider it. I do not know whether the Government Member received any notice of it or not.

The Honourable Sir Reginald Maxwell (Home Member): I did not receive it before the Assembly commenced sitting.

Mr. President (The Honourable Sir Abdur Rahim): Then it cannot be allowed.

Bhai Parma Nand (West Punjab: Non-Muhammadan): Can it be taken up tomorrow?

Mr. President (The Honourable Sir Abdur Rahim): No.

Bhai Parma Nand: May I know the reason, Sir?

Mr. President (The Honourable Sir Abdur Rahim): The notice was received too late. The rules ought to have been complied with. It is not a valid notice.

Bhai Parma Nand: In what sense?

Mr. President (The Honourable Sir Abdur Rahim): The discussion on the cut motions will continue. I think it is the Muslim League Party cut motion, No. 65. Mr. Yusuf Abdoola Haroon.

Bhai Parma Nand: May I know, Sir, why it cannot be taken up tomorrow, if it is not possible to take it up today?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Mr. Yusuf Haroon is in possession of the House.

THE GENERAL BUDGET—LIST OF DEMANDS—concl'd.

SECOND STAGE—cont'd.

DEMAND No. 12—EXECUTIVE COUNCIL—concl'd.

Administration of Martial Law in Sind.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): Sir, I move: "That the demand under the head 'Executive Council' be reduced by Rs. 100."

Sir, after the arrest of the Pir Sahib of Pagaro, who was considered by thousands of Sindi Mussalmans as their religious head, but in many of his followers, there is a fanatic band of people called Hurs, who have pledged their lives and their property to the Pir Sahib, have been the real cause of trouble in Sind. It was in the early week of May that the first sabotage on a railway goods train was committed near Gotkhi railway station. After this sabotage, there was

[Seth Yusuf Abdoola Haroon.]

some looting and murders in the Province and then a more serious sabotage took place on the 16th May near Hyderabad station of Lahore Mail in which many precious lives were lost. Among them was the brilliant son of the then Home Minister, Sir Ghulam Hussain Hidayatullah. It was after that incident when General Richardson proclaimed martial law in Sind. I am not here to discuss under what authority General Richardson proclaimed martial law. There was no order from the Governor General in Council or the Governor General. On the evening of 31st of May, while I and some friends including Khan Bahadur Khurho, Sheikh Abdul Majid and G. M. Syed were touring Jacobabad, we were handed a leaflet by a friend, by which we were informed that military law was coming into force in Sind from the 1st of June. It is now just over nine months. Has martial law achieved anything in these nine months? There has been a reign of terror in Sind and poor innocent people have been harassed and what has been achieved. The War Secretary will get up and say "We have arrested so many Hurs, we have shot so many Hurs and so many Hurs are still at large".

Martial law was first proclaimed on the East Bank of the Indus. After two months, General Richardson not being satisfied with the area thought that it did not cover the area which was still free from martial law and did not give him more power and therefore he proclaimed martial law on the West Bank of Indus. Thus three-fourths of Sind was brought under martial law, although the Hur menace existed only in one or two districts, Nawabshah and Tharpar Kar districts and even there also only in some Talukas of those districts.

Sir, when martial law was proclaimed, the military was stationed in Hyderabad and from there the Military was despatched to Rural areas. Illiterate people in the villages were unaware of the regulations. The result was that many innocent lives were lost. The military authorities did not give sufficient time to educate these poor rural people about the military regulations. The result was that people were shot at sight. For the information of the House, I will quote one incident that happened at Sukker, near the Sukker Barrage. Three fishermen were returning from their work early in the morning at 5 o'clock. They were called to halt by some of the military soldiers. These innocent people did not know what to do. They were frightened and naturally villagers are always frightened of the police and the military. They got confused and ran and the military opened fire, one was killed and the others jumped into the River Indus for safety and were drowned. Their bodies were found a few hours afterwards. This was not reported in the papers but I was at Sukker in those days along with some of the League Leaders who are now Ministers. There are many other cases in which innocent lives were lost but no notice was taken. Now what did the military do when they went to the villages and rural areas? They stayed there and enjoyed the luxuries, of course, at the expense of the zamindars. They went and sat in their houses and asked the zamindars to provide them with luxurious food, harassed them and took their money. The harassment was so much that the zamindars were fed up and many of them left the villages and came to the towns. Sir, this was not all. There are instances where rapes were committed by the soldiers and this was brought to the notice of the authorities of the Muslim League several times. We made representations on the subject but were not heard. These soldiers went to the villages and sat there comfortably and forgot all about their work. Instead of moving into jungles, and places where they could find dacoits, they thought it was the time to enjoy and make themselves comfortable. Sir, it was a reign of terror which was going to start in fact, it was more than the Hur terror. People started wondering in the villages and the cities whether the Hur menace was more terrible or the British menace. You cannot imagine what was going on. People actually said that the Hur

menace was many times better than the British menace which was going to be set up.

Now, Sir, this was the only beginning of what was going to come. When the military started occupying the martial law area and when they started moving towards the villages which were supposed to be occupied by the Hurs, what did they do? The military started their operations in an actual warfare manner. They encircled the villages and machine-guns were brought; mobile forces were brought and trenches were dug; wireless poles were erected and telephones were installed; it was an actual warfare-like Lybian campaign. The only difference was that it was now a war against a few criminals but many innocent people who were unarmed, illiterate and who never knew what was going to happen. The voice of these people was throttled and they were not allowed to raise protest to their leaders or Government. No educated man with responsibility was allowed to go to the villages and tell them whether they should evacuate villages or not. Even this is not all. The military threw leaflets from planes demanding from those villages which were surrounded by military to evacuate within ten or fifteen days. How could they expect those illiterate people to read these leaflets and how can you expect them to leave their villages without enough warning? Did you consider these leaflets enough warning to those villagers? Those people who had commonsense and who could read and write had already left the villages. These leaflets contain an order evacuating villages within 10 or 15 days, otherwise the responsibility will be of people who stayed. After the expiry of time, the villages were bombarded by planes. Actual bombardment took place of these villages and consider how many innocent lives were lost. Children and ladies were killed. It was a ruthless war against the innocent people. When the military were closing the circle on these villages that they had encircled, they caught hold of those people who were left behind in the villages. They were put in concentration camps; they were beaten and ladies were stripped naked. The wives and children of Hurs were so much beaten that some of the children actually died in the concentration camps. There was no arrangement for their food or for their clothing. The wives of these Hurs were innocent and they did not know anything about their husbands. The Indian wives are not like the wives of Europeans. They are uneducated ladies and they do not know anything except their home and children. These ladies know to live and eat and nothing else. Those ladies were brought before these soldiers; they were stripped absolutely naked and were asked to say whereabouts of their husbands. They could not answer and even say a word because they had never gone out of *Pardah*. Sir, it was a reign of terror. It was my misfortune and the misfortune of a few friends of mine who had gone to Tharpar Kar and Nawabshah and actually heard these accounts from the victims of these outrages and from those who had escaped from these prison camps. We made representations.

I believe the Honourable the Home Member will bear me out, that this martial law was proclaimed with his consultation but although two days ago he had denied that the Home Department had anything to do with it. He will bear me out when I say that the Muslim League deputation consisting of Khan Bahadur Khurho and Sheikh Abdul Majid, G. M. Syed had come to him when Allah Bakhsh was in power in Sind. They made a representation to him that at least the martial law should be withdrawn from that area where there was no Hur menace.

Sir, although so much has happened in Sind, nothing was mentioned in the papers because it is our misfortune that the Musalmans have no paper and their voice cannot be heard. My Honourable friend, Mr. Lalchand Navalrai, told us the other day that the Musalmans and the Hindus were happy. . . .

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): I must correct the Honourable Member. I never said that they were happy. On the contrary, it was said from the Muslim side that Hindus were jubilant and I can assure the House they were not.

Seth Yusuf Abdoola Haroon: I stand corrected, but I must say that it was only the Muslim League which raised its voice as soon as the martial law was declared. We questioned the authority on which this martial law was declared. There was no such order by the Governor General. We made inquiries in the matter and we were on the point of going to the civil court. The result of this martial law has been that the tenants have left the villages. the Hariss of lower Sind have migrated to Kathiawar and the Hariss of Central Sind have gone to Baluchistan because they could not remain there. The harvest was ready to be cut but it was left on the fields; the villages became barren. Only the zamindars were left in their houses and all the tenants left them. It was a pitiable sight. Lands are lying uncultivated. The crop is surely going to suffer. The Members of the Agricultural Department will bear me out next year as to what will be crop of Sind and how much Sind has suffered. May I ask the Government how long can this go on? We have suffered to a large extent. His Excellency the Governor of Sind in the month of December, while addressing Durbar, told the people that at least martial law will be removed from the area between Sukker and on the west bank of Indus. It is well over three months, yet martial law has not been removed. Under the Defence of India Rules we could not publish, our voice was throttled and we could not raise voice. Why does not this Government consult the Provincial Government? Why does not this Government take into confidence the Provincial Government? Is it because of Allah Bux's faults and mistakes that we are going to suffer? Are we still going to suffer? Why does not the Central Government take the Provincial Government—now popularly known as the people's Government—into confidence and ask for their opinion on the matter.

Sir, Government have not still finished with Hur menace as they are still keeping martial law in Sind. I believe these military lords sitting there want to enjoy themselves, because they do not want to go to any war front. They want to remain in villages and enjoy, because they feel that it is a more safe place than any other place in the world.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got two minutes more.

Seth Yusuf Abdoola Haroon: I will finish my speech. In spite of all the drastic measures, the military started some other methods of meeting with the situation. It was indeed ruthless. But have they succeeded in putting an end to this menace? A person was brought to give evidence and his head chopped off under the very nose of the military. You can understand what the military has achieved there. Hurs are still at large. They are arresting thousands and thousands of innocent people who have nothing to do with Hurs. One K. B. Mohamed Hayat Junnajo, a relative of the Pir who has given evidence against him has been arrested and kept in detention for months and months. He was a man of lakhs a few months ago. But now his property has been snatched from him. Military officers and police officers have taken money from those people. I ask the Government, how long can this go on? People have got hatred against you. They are not going to forget what has been done with their mothers, brothers and sisters. Time will come when they will tell you all about that. Sir, I wish these lords who sit over there should only go to Sind and see for themselves with their eyes open what is the actual state of affairs in Sind and should not rely on the correspondence which they received from their officials presenting a rosy picture. Why don't they go there and speak to those people and hear their grievances. I hope Government will now realize that it is high time that they should withdraw martial law. With these few words I move the motion standing in my name.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

“That the demand under the head ‘Executive Council’ be reduced by Rs. 100.”

Mr. Muhammad Nauman (Patna and Chota Nagpur cum Orissa: Muhammadan): Mr. President, Sir. I rise to support the motion before this House.

I have no desire to take brief for rebels and insurgents in this country, but what I find is that this indiscriminate killing of human-beings of one section or other is going to such an extent that Government should now decide what really they are going to do in future and what form this Government is going to assume for introducing measures like this in conditions which have been revealed in Sind. I do not want to describe the wanton actions of military authorities which have been fully discussed by my Honourable friend the Mover of this motion, but I would only like to impress on the House, Sir, that under the garb of martial law all sorts of wanton actions are allowed and abuse of law has become probably the order of the day. Innocent people are killed and put to all sorts of humiliation, trouble and I do not know what not. What I want to impress is this, if Hurs are accused of certain hooliganism or of certain excess towards the public peace and tranquility, the Government established by law and order has not been acting in a manner worthy of its name but on the other hand it has retaliated and acted in the manner probably far worse than Hurs. As my Honourable friend Mr. Yusuf has just described, I feel, Sir, that the Government authorities have resorted to even worst hooliganism and to such actions which probably would not be tolerated by any civilized power in the world. I really want to know whether the Government who claims to champion the cause of democracy and who claims that she has taken up the responsibility of fighting this great war to relieve the world from the menace of terrorism like Nazi-ism, has any claim or justification for that ideal with such actions as they are taking in the small province like Sind against an armless mob of destitute and forsaken Hurs. That is the only question I want to ask.

There is another point which I will try to make before I close my speech and it is this: if one leader of a certain section or community is condemnable in the mind of Government is it necessary for the Government to condemn all other peaceful members of that section or the community and treat all of them with atrocities with which the Government has treated the Hurs. Could not the Government ask other leaders of the public to help them in restoring law and order and to come to an understanding with that section of the Hurs whom they are treating as rebels by their own choice. That point has also to some extent been brought in by the Honourable the Mover when he said that the present Ministry which is a responsible ministry in Sind was not associated or consulted when this martial law was proclaimed. That is the point that I wanted to make and nothing more. I only want to impress that it was the duty of the Government established by law and order to take all precautions in treating Hurs as rebels and should have tried to create understanding and confidence in those people and Government of India should not have handled the situation in the manner in which they did and which means atrocities of hunting down the Hurs and allowing soldiers to acts of violence unparalled in the history of the province. With these few words I support the motion to remove the martial law order immediately.

Khan Bahadur Mian Ghulam Kadir Muhammad Shahban (Sind Jagirdars and Zamindars: Landholders): Sir, I rise to support the motion. Sir, the ostensible purpose of the introduction of martial law in Sind was to suppress the 'Hur trouble'. But the House will be surprised to hear that this is not the first time that there has been 'Hur trouble' in Sind. The 'Hur trouble' started in Sind in the nineties and assumed a very violent form in that period, but it was suppressed thoroughly by the Deputy Commissioner of the District Mr. W. H. Lucas and his Assistant Sardar Muhammad Yakub Khan. Again when the trouble began to manifest itself in 1913, Mr. Lucas was fortunately the Commissioner in Sind and with the aid of one Sub-Divisional Officer, on whom he relied fully, namely, Khan Bahadur Nabi Buksh Muhammad Hussein, the trouble was completely nipped in the bud. It was subsequently acknowledged by the authorities that had not these measures been taken, the situation would have

[Khan Bahadur Mian Ghulam Kadir Muhammad Shahban.]
 become complicated during the last Great War. Why was then the introduction of martial law necessary now? The answer is clear, namely, the incompetency of the present local officers and the Local Government, or undue interference of the Government of India. Now, Sir, when the trouble began the police outposts instead of being strengthened were abolished and the Zamindars were deprived of their arms. It was a confession to the criminal elements that the Government had become powerless and thereby they were encouraged to embark on a series of violent crimes.

With the introduction of the martial law, it was felt by every one that the Administrator of the martial law would make his headquarters in the heart of the troubled area, namely Sanghar. But, instead, he chose his headquarters, where he has remained throughout, except cursory visits here and there, in the comfortable climate of Hyderabad, Sind, which is hundred miles away from the core of the trouble and in a corner outside the troubled area. Ignorant of the conditions of Sind and the characteristics of the various people, how could he possibly enter into the spirit of the whole affair? The evident result has been that too much has been left to the subordinates, underlings and hirelings. The harassment of the innocent and poor people has been very great and this is acknowledged and proved by the fact that a Special Magistrate has recently been appointed to investigate into the cases of people who have been wrongly dealt with as *Hurs*. This is a sufficient instance of the lack of responsibility on the part of the Martial Law Administration. Should sufficient vigilance have been exercised from the beginning, such things would not have happened. It is a fact that martial law has been extended over much larger area than necessary. It is also a fact that though the martial law was introduced for the *Hurs*, other offences have also been tried under that law. This is rightly regarded as an abuse of authority by the Martial Law Administration, by the public of Sind. One more glaring instance of the lawlessness of the martial law is that the Administrator has passed a Regulation giving powers to his administration to try cases which had occurred before the martial law was introduced. The Deputy Commander-in-Chief admitted in the Council of State, in answer to the interpellation by the Honourable Mr. Hossain Imam that such a procedure was without a precedent. May I know, why the Government of India has given such unbridled authority in this case? May I also appeal to this House to take note of this unprecedented procedure? Are these things possible only in this country? The general impression in the mind of the public is that this is an expedient to victimise persons who could not be dealt with by ordinary courts or tribunals. I again repeat that it is the general impression in the mind of the public that this is an expedient to victimise persons who could not be dealt with by ordinary courts or tribunals. Is this House going to sit silent over such a state of things?

It is evident that the Government of India have not done their proper duty in not observing a greater degree of vigilance over the martial law administration in Sind which extends over a larger area than necessary. It is also true that in spite of being in existence for the last nine months, the martial law has failed to suppress 'the Hur trouble' completely, and it has caused undue inconvenience to the public. Therefore it is high time that it should be withdrawn.

I accordingly support the motion, Sir.

Mr. Lalchand Navarai: Sir, this is a question pertaining to Sind only but I hope the House will pay due consideration to this; because if anything wrong has been done in Sind, it will not only affect Sind, but it will affect at some-time the administration of other Provinces as well. Now, Sir, the motion before the House is to discuss the Martial Law Administration in Sind. I welcome such a motion. I will first of all say something with regard to what my Honourable friend, the young Muslim League hero from Sind, said. I would have been very glad if he had represented questions in the interests of whole of Sind instead of only from the point of view of the Muslim League or

communal point of view. I will dilate on this point, but there is of course not much time for me to do so. Now with regard to the application of the martial law, at the outset I agree with him, though I do not know myself personally how the real fact is. He says that martial law was introduced in Sind without any order or without any proclamation of the Governor (General in Council. This is the point which I also raised in certain of my interpellations. But no satisfactory reply has yet been given up to this time. It was said that martial law was introduced by the Administrator General of the Martial Law who is doing the work there. He may pass Regulations, but under what authority was he appointed and sent there. Therefore that legal question must be made clear.

Now, coming to the second question that was raised, as to what has been achieved up to this time by this martial law? There is a long tale to tell but the reply should come from the Treasury Benches. What has been done, they know it most. There have been many allegations made. I personally do not know whether any rapes were committed or whether any people were stripped naked. These allegations have come from my Honourable friend. I submit that such charges should not go uninvestigated. They should be investigated and vindicated. But I must say that by the application of martial law something has been achieved. There is no doubt about it. When I give the facts to this House as to how martial law was introduced in Sind, it will make it clear that at any rate the intensity of the Hur menace has been lessened. It has not been extirpated, it has not been terminated altogether. Some progress has been done, without which greater harm would have been done by the Hurs.

Now, Sir, coming to the question of the application of martial law to a larger area than necessary, I say that this was not necessary because the Hur menace was confined to a particular area only. My Honourable friend Mr. Shahban also referred to the application of strict measures required only for that area. That area is in Sanghar taluka of the Mirpurkhas district. There actually the Hurs have got a den, they have got what is called the 'makki dund' which is situated in the midst of a dense forest. It is a place where they can conceal themselves and go about from there doing their depredations. If the Government had promulgated martial law round about this area it would have been all right, but it has been extended too far, especially to the western side of the Indus—in the portion of Larkana District, a portion of Sakhr district, and in portions of Jacobabad and Dadu districts. There was no Hur menace in these districts and ordinary police were able to maintain law and order. People in those districts—both Hindus and Muslims—never asked that martial law should be extended towards this side nor were consulted. It seems it was done only on the pretext that people from one side may at any time come to the other side. I wondered when I was told the other day that Hurs were found on the western side. If they were found on that side, why should the whole area be brought under martial law. Those who were found in this area could have been arrested by the ordinary police and taken back to the real Hur area. Therefore, I say that it is not necessary to enforce martial law on the Western side.

I agree with my Honourable friend the Mover of the motion that Martial Law has been applied in a manner in which it should not have been applied: It is very strictly applied. Of course we know what martial law is, but as it assumes its jurisdiction over the civil population area it should be applied cautiously and mildly and not in the present manner. I have put several questions in this House regarding the flogging of children and respectable men but the reply in the beginning was that the Government had no information or that they had not any detailed information. I gave them the detailed information with names and I tell them that small boys of certain ages have been flogged. I actually cited cases. They should have in each case secured the information asked for, and not only say that "flogging has not taken place

[Mr. Lalchand Navalrai.]

in the manner in which I have suggested". But only canes were used on them.

The harsh way in which the martial law is worked even the ordinary police got corrupted: they began arresting people on least pretext harming them and extracting something from them. All that was going on was known to everybody.

I also agree that it was really a war between the Hurs and the martial law authorities. There is no doubt about this. But the scourge of that war should not have come upon the civil population, and on the top of that not to apply to the offences under the Defence of India Rules. To punish such offenders under the martial law regulations is really too much. Was it the intention that the ordinary law should also be exercised through the hands of the Martial Law Administrators.

Then my Honourable friend said "take the Provincial Governments into consultation", and again he went too far and showed some bias of Muslim League-ism by saying that Khan Bahadur Allah Bux was at fault. How was he at fault? When both Hindus and Muslims wished that the martial law should be promulgated.

Seth Yusuf Abdoolah Haroon: Muslim League can never ask that.

Mr. Lalchand Navalrai: I never said Muslim League. Muslim League is soaring high now in the paradise, but it will soon tumble down; wait to see.

My Honourable friend suggested that the local Government should be consulted. I was simply surprised how he called it people's Government. It would have been all right if he had called it 'the Muslim League Government' without the other Parties. He knows fully well what it is. When you are proud enough to say to the world that Pakistan has been resolved by Sind, you should also tell the world by whom was it resolved. Only by Muslim Leaguers.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better confine his remarks to the motion under consideration.

Mr. Lalchand Navalrai: Then Sir, I must say that the present Government in Sind is not "people's Government". It is the Muslim League Government and we do not recognize it as a complete Government.

Before I come to the question of what should be done as to withdrawal or not of the martial law, I must refer to certain remarks made by my Honourable friend, Syed Ghulam Bhik Nairang. Sir, I consider him a very decent gentleman. (Interruption.) Allow me to say what I say; do not run up at once. I have seen him very sober and also I take him to be a very decent gentleman, but I was feeling very sorry when he became ungenerous the other day. Perhaps it was because he did not know the facts as he does not belong to Sind. He was also misguided by Muslim Leaguers, at least these youngsters coming from Sind—and because what he said was without having real information, it was a very unpleasant spectacle. He said: "See, our Hindu friends in Sind and outside are exulting over what was being done to exterminate or wipe out the Hurs. The point which appealed to them was that all this is being done against a section of the population in Sind." I take strong exception to that. It is not right to say that the Hindus were in any way jubilant.

Seth Yusuf Abdoolah Haroon: If you read your own newspapers, you will find the truth.

Mr. Lalchand Navalrai: If you only hear a few facts about this, you will know that I am correct in what I say. How did this Hur movement arise, and how did the martial law come to Sind? Sir, this Pir Pagaro

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Mr. Lalchand Navalrai: Then I will say that this Pir Pagaro was the leader and his followers who are Hurs—"Hur" means one who can be set up against the other—took up arms and did harm not only to Hindus but Muslims also.

They killed Seth Seetaldas, M.L.A., of Sind Government. Sind Government could not do anything. The Hindus and Mussalmans both applied to the Sind Government for taking action and the Sind Government thought that the only way was to get promulgated the martial law. This was done and it pleased everybody, because the Hurs were committing so many atrocities. A train was derailed and so many other mischiefs were done which affected both Hindus and Muslims, and yet if my Honourable friend should get up and say in the House that the Hindus were jubilant it is very amazing. If the Hindus were pleased so were Muslims. It was only because the Sind Government was not able to do anything, and it was because of their inability to do anything that the martial law was introduced. But I do condemn the way in which the martial law is being applied in areas where there is no Hur menace. I have also said that the regulations have been applied in a manner which I

12 NOON. would call objectionable and this I will also say of areas where people are calm and quiet and where the Hur menace is absent, I hope the Central Government will take this matter up with the Administrator General there. At any rate, he is not all in all in a civil area. He may have his martial law applied in his brutal manner to his own military people when he is on the field, but he should remember that he is in the midst of a civil population to whom the Central Government and the Local Government are responsible for giving peace and tranquillity. I would therefore say that so far as the withdrawal of martial law is concerned, it should be withdrawn only from those portions of Sind where it is not necessary. It should be restricted to the parts of the four talukas of Sangar, Nawabshah, the desert division and Shahdadpur.

Mr. M. Ghiasuddin (Punjab: Landholders): May I ask the Honourable Member if he wants martial law in those places?

Mr. Lalchand Navalrai: Yes. Until the object is achieved, which is not wholly attained at the present moment.

Sardar Bahadur Captain Dalpat Singh (Nominated Non-Official): I rise to oppose one part of the speech of my Honourable friend. He has passed remarks against the military....He says that Sind is a very good place and the climate is excellent. I say that the Sind climate is bad, very bad. Libya is better than Sind, and as a retired regular army officer I can say that the military do not like to stay in such places. They want to fight with the real element and not with innocent people. But when there are disturbances we are sent to stop them and preserve law and order. So the remarks which he has passed against the military are unreasonable and quite untrue. We, military people, are very anxious to go on active service and not such places.

Seth Yusuf Abdoola Haroon: I invite you to Sind at my expense.

Sardar Bahadur Captain Dalpat Singh: So I oppose this part of the speech of my Honourable friend.

Mr. C. M. Trivedi (Secretary, War Department): Sir, my Honourable friend, Mr. Yusuf Haroon, started his speech by making a number of allegations against the military authorities. He alleged that rapes had been committed, that women were stripped naked, that troops were taking forced hospitality from the countryside and that in fact there was a reign of terror. Sir, I deny that there has been anything of this kind or that there has been any reign of terror in the martial law areas in Sind. If the things which my Honourable friend has alleged have happened, how is it that no one has brought them to the notice of the Government so far? How is it that there has been no reference in this House by way of questions to any of the allegations which my Honourable friend has made this morning in his speech?

Seth Yusuf Abdoola Haroon: I had given a notice of an adjournment motion.

Mr. C. M. Trivedi: Martial Law has been in existence for nine months and yet this is the first time that this House has been treated to these allegations by my Honourable friend. I would say no more about them but would go on to say

Mr. Muhammad Nauman: Has the Honourable Member ever tried to find out how martial law has been working there? Does he deny that these are the true facts?

Mr. C. M. Trivedi: On the information available to me, I am in a position to say that these allegations are absolutely incorrect.

My Honourable friend asked what martial law had achieved in Sind. Martial law was introduced not to deal with any sudden uprising in Sind but to deal with a state of affairs amounting to chronic disorder which had been going on in parts of that Province for over a year and which the civil authorities were unable to deal with effectively.

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member please speak up. The other side has got to hear.

Mr. C. M. Trivedi: The results so far achieved by martial law are that the incidence of murders and dacoities which reached a peak in May 1942 has been greatly reduced. (Interruption by *Sardar Sant Singh*.) The affected areas, including those bordering the desert, to which many Hurs fled to avoid arrest have been penetrated by troops and police. Their main hiding places have been visited and many Hur gangs have been broken up and many leaders and their followers arrested and brought to trial or detained in special camps. In these operations, troops and police have met with armed resistance from the Hurs, resulting in dacoities. Acts of sabotage on the railways and against communications have almost entirely ceased. The task of the troops in the restoration of order and security has been attended by many difficulties, and I do not think that my Honourable friends who have spoken on this motion have made any allowance for these difficulties. In the beginning the local population having been terrorised by the Hurs for so long in the past were in such fear of them that they would not disclose any information whatsoever, and it is wellknown that intelligence is the basis of any operations. The area in which the troops have to operate is enormous, and the country, as the Honourable Members coming from Sind will testify, is difficult owing to the lack of good communication. This necessitated tying up many of the troops in purely police and static duties. Further, unusually heavy floods occurred in some parts of the area in which martial law has been in force, and to these must be added the civil disobedience movement beginning in August, which impeded to a certain extent measures against the Hurs. However, the situation has now improved very considerably. There is an increased sense of security, and order has largely been restored. At the same time, the task of restoration of order and security cannot yet be said to be complete. All the Hur leaders have not yet been disposed of. Some are still absconding. They must be traced out and brought to justice.

Mr. Lalchand Navalrai: What about the Pir of Pagaro? Has his case been disposed of?

Mr. C. M. Trivedi: Not finally disposed of. Though the Sind Government are raising Sind Police Rifles and are also strengthening the ordinary district police in the areas affected, the forces at the disposal of the civil power have not yet attained adequate strength. From this review of the situation, it is clear that the state of affairs, though it is very much changed for the better, has not yet reached a stage which would justify the withdrawal of martial law. No one is more anxious for the withdrawal of martial law and handing over the area to the Civil Government than the Government of India and the military authorities, and I can assure the House that it will not be retained a day longer than is absolutely necessary. I am obviously not in a position to specify any date for the withdrawal of martial law. I would have done so if I could anticipate the course of future events. This obviously I cannot do, but I would ask the House to accept my assurance that the martial law Administrator is proceeding with the task of the complete elimination of the Hur menace and the restoration of confidence among the civil population with

the greatest possible speed, and that martial law will be withdrawn as soon as the situation reasonably warrants this being done

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): May I ask whether the Honourable Member has received any request from the Sind Government to withdraw martial law.

Mr. C. M. Trivedi: No; Sir, we have not received any request from that Government for the withdrawal of martial law.

Mr. Lalchand Navalrai: As regards the pronouncement of His Excellency the Governor that it will be withdrawn from the Sukkur side, the western side, is that going to be acted upon or not?

Mr. C. M. Trivedi: I have not seen the exact text of the pronouncement to which my Honourable friend refers.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan) It is too much to expect, an independent commission of inquiry would be appointed to investigate these charges, but may I ask whether the Government are going to investigate the definite charges made by Seth Abdoola Haroon?

Mr. C. M. Trivedi: No, Sir. The charges which my Honourable friend, the Mover of the motion has levelled are not definite charges

Seth Yusuf Abdoola Haroon: In view of the misleading statement of the Honourable Member that there was no deputation or representation made to the Government, may I ask him whether a deputation consisting of Khan Bahadur Khuro and Mr. Ghulam Syed have seen the Honourable the Home Member and the Private Secretary to His Excellency the Viceroy when martial law was declared in the beginning?

Mr. C. M. Trivedi: Sir, the War Department which is in charge of this particular subject is not aware of that.

I only wish to deal with a few other points which have been raised in the debate. One was that martial law was extended to the west bank of the Indus. My Honourable friend, Mr. Lalchand Navalrai, characterised the reason I gave sometime ago in this House for the extension of martial law to the west bank of the Indus as a mere pretext. I can assure him that the reason I gave was not a pretext: it was a real ground for the extension of martial law to the west bank of the Indus.

The second point which my Honourable friend, Mr. Lalchand Navalrai, made was about the trial of offences connected with the civil disobedience movement by martial law courts. I dealt with the question in some detail a few days ago in answers to supplementary questions; and what I said then was this, that civil disturbances in a martial law area, whatever their origin may be, must hamper the military authorities in their primary task, which in this particular case is one of dealing with the Hur menace, because such disorders whatever the cause may be, tie up the troops, tie up the police, tie up other civil authorities and thus necessarily divert their energies from their primary object

Mr. Lalchand Navalrai: Are the civil authorities unable to do that?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has had his speech: let him allow the Honourable Member to go on.

Mr. C. M. Trivedi: My Honourable friend also referred to the question of flogging of children

Mr. Lalchand Navalrai: Young boys and respectable men.

Mr. C. M. Trivedi: I dealt with that matter too in reply to a question. I said that boys between the ages of 12 and 18 were caned and they were given four to ten strokes, because it was considered undesirable to send them to jails as a punishment for their unlawful acts.

Mr. Lalchand Navalrai: That is exactly the point that is to be inquired into.

Mr. C. M. Trivedi: The allegation that was made then that they were stripped naked and then flogged is not correct. Sir, that is all I have to say.

Sardar Sant Singh (West Punjab: Sikh): Sir, the approach made by the Government to this question of introduction and continuation of martial law in a particular area is such that one cannot agree to it. I wish the Honourable Sir Sultan Ahmed would present a copy of Dicey's Constitution to his neighbour the Honourable Sir Reginald Maxwell and his chief lieutenant, Mr. Trivedi. They forget that the rule of law and the introduction and continuation of martial law depend on certain well-known principles which the jurists have enunciated with very great clearness. First of all, is the point which the Honourable Secretary for the War Department has omitted to answer—was this martial law promulgated by the Governor General in Council? He has not answered that question. If it was not, will he justify it on any provision of the statute law in the country, that this administration and introduction of martial law is in accordance with law? He does not say so. Who is responsible for this? Who introduced it and who is continuing it? These are the questions which my Honourable friend the Mover of this motion has asked the Government in detail; but the Government has refused to answer them. The second point is that martial law has been continued now for nine months—a period which is unknown in a civilised administration. This martial law which is continued even now and which has ruthlessly suppressed the liberties of the people has not been justified by any statute in the country itself. Then again I ask, it is all very well to put down disturbances—I am at one with the Government on that; but the means adopted to put down the disturbances are to be taken into consideration as well. The law prescribes certain procedure, certain means to be adopted in suppressing offences. If those means are not adopted and if that procedure is not followed the Government cannot claim that the administration of martial law has resulted in greater security and putting down the disturbances. If that were the criterion, where is the guarantee that the Government would not take out troops to punish every Member of this House because they are making speeches against the Government. . . .

An Honourable Member: Not all of them.

Sardar Sant Singh: Not always; but sometimes they will. . .

An Honourable Member: Not all Members.

Sardar Sant Singh: After you have given certain guarantees to the public in the matter of how they are to be treated when they break the law and these guarantees are contained in your law statutes, you ignore your law statutes; you suppress an act, because it is an offence, in a manner which is not prescribed in the statute of the land and then you claim you have done the right thing. The rule of law is a policy which we insist should be followed in this country, and when you do not follow the rule of law we call it a policy of frightfulness, a policy of striking terror. We have no quarrel with you when you punish an offender, but we quarrel with you when you punish the offender in a manner which is not permissible under the law. That is our quarrel with you. You say, the results achieved are good. The results may be good, we have no quarrel with that, but you are not here to achieve results by terrorising people, by making them silent and noncomplaining. You create a situation in the country which was once described by a very learned Secretary of State for India as the peace of the graveyard. But this is not a justification which can come from a civilised Government. I have called their attention several times. Here is the case of Hurs with whom nobody has any sympathy, no political organisation, or religious organisation, or any other organisation has any sympathy. But you have put down this agitation in a manner which has aroused the indignation of all honest men in the country. That is the complaint against you. Will you cure that complaint? Will you change your mind? It is monstrous to say that because security has resulted, therefore the martial law is justified. The same thing was said by General Dyer in the administration of martial law in the Punjab. He said that, people liked martial law because almonds could be had more cheaply during

the administration of martial law than it was before or after. He was for the purchase of almonds, badams; he says, badam has become cheaper because martial law is being administered! This is the way in which you had been administering martial law. May God help you. Have you forgotten what your own jurists say? I will again request the Honourable Sir Sultan Ahmed to hand over a copy of Dicey's Constitution to these two gentlemen so that the Government should make out some plausible case at least. People laugh at you, people laugh at your civilisation, people laugh at the manner in which the Government acts in this country. Practically the whole country is under the heel of military rule to-day in India. We protest against that. Will you please reform yourself? That is one thing we want. Our demand is very simple, namely, the rule of law in this country, no more, no less. I am sure no Member of this House, whether sitting on this side of the House or on that side of the House, will disagree with me when I demand that the rule of law in this country should be restored. Rule of law is one rule which makes for the progress of the country, which will maintain respect for you in this country. Without that you are laying yourself open to the same comment and criticism as you levy against the Nazi administration. The other day a friend of mine said that the difference between Nazi rule and this rule would be, you are permitted to say these things here while your heads will be chopped off there. (Interruption) I am not using that very unhappy expression. I won't refer to that expression. I will excuse him because in his over enthusiasm he said that. I will excuse him. My point is this. Either deal directly with us and say, "it is the rule of the sword. Your head will be chopped off if you say anything against the Government". We will then know our position because that position will be intelligible. Or say, you are governing this country under any system of law. If you are governing this country under a system of law, please follow that law. That is the only issue between us. One I. C. S. Member after another jumps up and says, the result has been very good, security has been achieved, there are no more dacoities, no more murders. Is that the satisfaction? No. I say that the method by which you achieve that end is the main factor. If you achieve that end by a ruthless method, we call it a policy of frightfulness and warn the Government against such a policy. Therefore, I will support this motion and tell the Government that the sooner they end this regime, the sooner they appoint a committee like the Hunter Committee to go into the administration of martial law in Sind during the last nine months, the better. They will be doing justice to themselves and to this country.

Some Honourable Members: Let the question be now put.

Seth Yusuf Abdoola Haroon: Are the Government prepared to appoint an enquiry committee?

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the question be now put."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

The Assembly divided:

AYES—24.

Abdul Ghani, Maulvi Muhammad.
Azhar Ali, Mr. Muhammad.
Bhutto, Mr. Nabi Baksh Illahi Baksh.
Deshmukh, Mr. Govind V.
Essak Sait, Mr. H. A. Sathar H.
Ismail Khan, Hajee Chowdhury Muhammad.
Kamaluddin Ahmad, Shamsul-Ulema.
Krishnamachari, Mr. T. T.
Lalchand Navalrai, Mr.
Lalljee, Mr. Hooseinbhoj A.
Liaquat Ali Khan, Nawabzada Muhammad.
Murtuza Sahib Badadur, Maulvi Syed.

Nairang, Syed Ghulam Bhik.
Nauman, Mr. Muhammad.
Neogy, Mr. K. C.
Parma Nand, Bhai.
Sant Singh, Sardar.
Shahban Khan Bahadur Mian Ghulam.
Kadir Muhammad.
Siddique Ali Khan, Nawab.
Umar Aly Shah, Mr.
Yamin Khan, Sir Muhammad.
Yusuf Abdoola Haroon, Seth.
Zafar Ali Khan, Maulana.
Zia Uddin Ahmad, Dr. Sir.

NOES—39.

Abdul Hamid, Khan Bahadur Sir.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Aiyar, Mr. T. S. Sankara.
 Ambedkar, The Honourable Dr. B. R.
 Benthall, The Honourable Sir Edward.
 Bewoor, Sir Gurunath.
 Bozman, Mr. G. S.
 Chettiar, Dr. Rajah Sir Annamalai.
 Dalal, Dr. Sir Ratanji Dinshaw.
 Dalpat Singh, Sardar Bahadur Captain.
 Dehejia, Mr. V. T.
 Dumasia, Mr. N. M.
 Ghiasuddin, Mr. M.
 Gray, Mr. B. L.
 Gwilt, Mr. E. L. C.
 Haidar, Khan Bahadur Shamsuddin.
 Imam, Mr. Saiyid Haidar.
 Ismaiel Alikhan, Kunwar Hajee.
 James, Sir F. E.
 Jawahar Singh, Sardar Bahadur Sardar Sir.

Jehangir, Sir Cowasjee.
 Lawson, Mr. C. P.
 Mackeown, Mr. J. A.
 Maxwell, The Honourable Sir Reginald.
 Miller, Mr. C. C.
 Muazzam Sahib Bahadur, Mr. Muham-
 mad.
 Pai, Mr. A. V.
 Pillay, Mr. T. S.
 Raisman, The Honourable Sir Jeremy.
 Richardson, Sir Henry.
 Spear, Dr. T. G. P.
 Spence, Sir George.
 Stokes, Mr. H. G.
 Sultan Ahmed, The Honourable Sir.
 Sundaresan, Mr. N.
 Thakur Singh, Major.
 Trivedi, Mr. C. M.
 Tyson, Mr. J. D.
 Wood, Major General E.

The motion was negatived.

Grievances of Muslims in regard to their meagre Share in the Services of the Supply Department and in the Contracts given by the Department.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, I move:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

Talking first about meagre representation in the service, the Government orders on the subject of communal proportions in the services passed in 1934 are a matter of common knowledge and I need not refer to them except merely by mentioning them as they form the basis for the communal proportions to be maintained in the services. A minimum of 25 per cent. Muslims has to be maintained. Mind you, Sir, it is a minimum and in the very nature of things, there could be no maximum. Now, in the matter of actually enforcing the principles embodied in those orders, the older departments of Government which were in existence before those orders were passed stand on a somewhat different footing from those departments which have come into existence after those orders were passed. In the case of the older departments, in the natural course of things, one has to wait till the older people in the services waste out by superannuation and retirement and junior people and new entrants get their opportunity—the juniors to rise higher in the service ladder and the entrants to get similar chances in due course, but in the case of a department like the Supply Department, which is of recent creation and is an offspring of war conditions, one would expect that those principles would be adhered to pretty rigidly. In the very beginning when this department began to be organised, it was during the Autumn Session at Simla that I wrote a letter to the Secretary to the Government of India in the Home Department calling his attention to the need of a proper proportion being maintained for the Muslims in organising this department. Later on, on various occasions, we took steps from time to time to invite the attention of those responsible for the enforcement of this principle but when we found that things had really assumed an aspect, when a formal and comprehensive statement of our position to the Government was necessary and when we felt that real attention should be drawn to the grievances of Muslims, I addressed a detailed letter to the late Supply Member, Sir Homi Mody, on the 28th September, 1942, just after the end of the last Autumn Session, in which I gave a number of details and invited his attention to the grievances which had come to develop in his Department. I stated the position in that letter as far as I was able to do it to be this. You will permit me, Sir, to read one or two paragraphs of that letter which will give an idea of what I stated to him. I said that the present number of the I.C.S. officers in the Supply Secretariat (both Main and Branch) is Europeans 6, Hindus 12 and Muslims 2. Total 20.

Sardar Sant Singh: Does it include any Sikh Officer?

Syed Ghulam Bhik Nairang: Sardar Sant Singh was the only Sikh.

Sardar Sant Singh: I am asking this as a matter of information.

Syed Ghulam Bhik Nairang: I will throw light on that later on. From the figures I have given, it was clear that the proportion of Muslims was 10 per cent. I anticipated that something might be said to explain away the position, so I said by way of anticipation:

"We do not want to be told that the posts of the Supply Department are technical posts and Muslims with technical experience are not available. It is impossible even for the most credulous to believe that every one of the hundreds of officers in the D. G. M. P., D. G. S., etc., is a technical man. If you were to order to prepare a list of the technical qualifications, of all those officers, you will know that a very large proportion have no such qualifications. For instance, the post of the Deputy Director General is the second highest post in the Directorate General, and the following non-technical officers have been appointed as Deputy Directors-General in recent months. (*Then I gave the names but I will not mention those names here.*) If the post of the Deputy Director General can be given to a non-technical man, one can easily believe that other posts can also be filled by non-technical men whenever Government is disposed to appoint them."

Then, Sir, after giving certain other details, I gave the figures for the Directorate General of Supply (Planning side). I gave these figures for different designations, such as, Superintendents, Assistants in charge, etc. The totals were Hindus 810 and Muslims 140, in all 950. That showed that the Hindus were 85·3 per cent. and the Muslims were 14·7 per cent. I added a note that the members of other minority communities whose number is insignificant have been merged with the Hindus. After giving certain other details, I made certain definite suggestions. I said that our requests are:

(a) Proper representation of Muslims in the I.C.S. appointments in the Main and Branch Secretariats and in the offices under the Department of Supply should be maintained. That was the request with regard to the I.C.S. appointments.

(b) An independent inquiry to be arranged to find out the working of the Establishment Committee of the Directorate General of Supply *vis-a-vis* the percentage of the Muslims appointed in the lower divisions, percentage of Muslims promoted from lower divisions to higher divisions and percentage of South Indians appointed in various divisions. This inquiry should also be extended to Calcutta and Bombay.

(c) An inquiry to be made regarding cases of promotions of Muslims that are deliberately delayed to give seniority to non-Muslims, especially South Indians.

(d) Appointment of one Muslim member to the Establishment Committee in addition to the present Muslim Superintendent who has no say in any matter (who being only a Superintendent has to depend upon his tingods in the Branch Secretariat for his prospects and has, therefore, to acquiesce in every proposal). Then, I invited his particular attention to this. Decision in all matters involving strictly Muslim interests to be subject to the final concurrence of the Muslim Member.

(e) Shortage in Muslim representation in higher grades to be removed immediately by promotions of Muslim members of the staff already recommended by their respective officers for such promotions.

(f) Consistent influx of Muslim recruitment in the clerical cadre to bring the minimum and compulsory percentage to 25 per cent. in the Supply organisation at Delhi, Calcutta, Bombay and other places as a whole.

Well, Sir, in reply to this letter I received an acknowledgment from Sir Homi Mody in which he promised to go into the details as one of the suggestions thrown out in my letter was that later on, after getting a detailed reply from him and when he had possessed himself of all the facts, it might be necessary for my Party to meet him and discuss the matter personally. He wrote to me to say he would look into the matter and address me later on. After two months precisely on the 28th November, 1942, he sent me a very detailed reply on receipt of which, of course, I felt bound to thank

[Syed Ghulam Bhik Nairang.]

him for the attention which he had paid to my letter and the detailed information which he had supplied. I told him that I shall have to lay it before a meeting of my Party which will take some time and after that I shall address him further or suggest an interview with a deputation of my Party.

Now, Sir, with this detailed letter of Sir Homi Mody were annexed tabular statements giving the figures. From the figures supplied by him it appears that in the Directorate General of Supply at Delhi Muslim officers were 14.4 per cent, Muslim ministerial staff (other than routine) were 18.4 per cent. and routine staff were 20.9. As he had given the percentage of Muslims on the 1st August, 1941, also and the percentage which I have quoted was on the 1st October, 1942, it showed that there was deterioration throughout. On 1st August, 1941, in the officers' cadre the percentage was 17.6; on 1st October, 1942, it became 14.4. On the same date in 1941 the percentage in the ministerial staff other than the routine was 20.7 and that had fallen to 18.4. In the routine staff the percentage on the 1st August, 1941, was 20.9. From the figures which he gave it appears that in the Chief Controller of Purchase in the officers Muslims were 41.5, ministerial staff other than routine they were 25.3 and routine staff they were 29.3.

Then, Sir, there was the Bombay Office. I do not know what these abbreviations stand for being a layman.—D.G.S.B.R.

Mr. J. A. Mackeown (Government of India: Nominated Official): Director General of Ship Building and Repairs.

Syed Ghulam Bhik Nairang: Thank you. I expect that today in this Debate Mr. Mackeown will reply on behalf of the Government. We have known him for a long time in this House. He is a well disposed gentleman and will be helpful.

Well Sir, in that office there are no Mussalmans whatsoever—Bombay Director General of Ship Building and Repair. Controller of Supplies, Bombay, there in the officers no Mussalmans. Ministerial staff 10.7 per cent., Routine staff 4.8 per cent. In the Cotton Textile Department: officers 24.3, Ministerial staff 11.7, Routine staff 13.9. Calcutta Munitions and Production Secretariat and D.G.M.P.T.: in the officers, Mussalmans are 3.21, ministerial staff other than routine 15.1 and routine staff 21.6. Then the Chief Controller of Purchase Munitions, Calcutta: officers 15.8, ministerial staff other than routine 15.7, Routine staff 27 per cent. Controller of Supplies, Bengal: officers 20 per cent, ministerial staff *nil*, Routine staff 29.4 per cent. Controller of Supplies, Madras: officers *nil*, Ministerial other than Routine 27.2, Routine staff *nil*.

From these figures I think it is evident that the complaint as regards meagre proportions of Mussalmans in the services of the Supply Department is completely borne out. In the reply to my letter which Sir Homi Mody sent me he made certain remarks trying to explain the position. In the Indian Civil Service cadre the paucity of Mussalmans was explained by the remark that:

"Provincial Governments are sometimes reluctant to spare officers and the field of selection thus is limited. The reason for slight decline in the Muslim percentage is that we have not been able to secure suitable officers from Provincial Governments through the agency of the Establishment Officer. You will observe, however, that the percentage of Indian Civil Service has risen from 46 in August, to 68 in October, 1942."

Then, Sir, later on in his reply he did plead—and I had anticipated that—that this Department was a temporary war Department and majority of the posts outside the Purchase Secretariat are posts of specialised or technical character. We anticipated this answer. I may say straightaway that although perhaps to go into the personal qualifications of individuals in the course of a debate like this would be not only impracticable but also invidious and unpleasant, yet I may say generally that this plea of specialised posts and appointments meant for technically qualified people has really no substance. The Indian Civil Service people are regarded as good for anything. After

working for a month or so they become specialised in their subject and can carry on a branch efficiently and do the work properly. Any man when put on any job makes himself conversant with the technical side of his work and becomes specialised in that work. Sir, that was the excuse which did not satisfy us. Later on after the receipt of this reply we continued to ascertain the position. The position at the present moment appears to me much worse than it was when Sir Homi Mody wrote to us. It is a pity indeed that before I could finish with this subject Sir Homi Mody resigned and left the Department, so that now we have got to deal with the Department as it exists. We do not know who is going to succeed Sir Homi Mody and who will be made responsible for looking into this matter. I am prepared to state from the figures which I have been endeavouring to collect that the position has deteriorated since.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Syed Ghulam Bhik Nairang: I have said practically all that I had to say. I move.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

Sardar Sant Singh: Sir, I do not want to take much time of the House. I will make only a few observations. Because the motion belongs to the Muslim League Party, I do not want to transgress into their time and I will, therefore, only say

Mr. President (The Honourable Sir Abdur Rahim): Honourable Member representing the Government has got to reply.

Sardar Sant Singh: I will just finish. If I am allowed I will not take more than one minute. Government must have noticed that I have also given notice of cut motions regarding the Sikh representation in the Government of India Secretariat. I simply want to request the Honourable Member who is making reply on behalf of the Government to tell us whether there is any representation at all of the Sikhs in the Indian Civil Service in the Supply Department, in the higher services as well as in the lower services. Is there any Sikh I.C.S. in any post in the Government of India Secretariat? I will only request the Honourable Member to bear that in mind when making a reply.

Mr. J. A. Mackeown: Sir, it is with considerable nervousness, after some years of blissful obscurity and silence in this Assembly, that I rise to answer this motion, and I much regret that my first speech should be one opposing the motion moved by my Honourable friend of the Muslim League. But I am bound to oppose this motion, not because our Department contends that the position of Muslim representation is in all respects satisfactory, but because I contend that considering the difficulties which we have to face and the efforts we have made to surmount them and the degree of success which we have achieved, we do not deserve censure, but I think, a certain amount of credit.

Now, Sir, my Honourable friend, Syed Ghulam Bhik Nairang, has made a very moderate and a very reasonable speech based on correspondence which he had at the beginning of the cold weather with Sir Homi Mody when he was the Supply Member. I do not think I can do better than follow the general tenor of Syed Ghulam Bhik Nairang's speech and answer the points which he raised as I go along. Now, Sir, first of all he drew attention to the very valid distinction which exists between the old Departments of the Government and the newer Departments like the Supply Department. Unfortunately, he did not draw from that fact the conclusion which I would draw. He said that it ought to be easier in a new Department to adhere rigidly to the principles laid down by the Government of India to regulate recruitment of Muslims. Now, that may be true up to a point when you are dealing with smaller numbers and have a nucleus staff to build on, or to draw from, of men who are trained and fit to take the higher posts which are necessary even in a completely new organisation. But when you come to the very large numbers which the Supply Depart-

[Mr. J. A. Mackeown.]

ment has to deal with, and remember that the Supply Department practically started from nothing, it is very difficult to find in existing Government services all the trained men that you need for the higher posts. You cannot, therefore, draw entirely on the pool of Muslims who exist in existing Government services, especially as they are already being competed for by every new Department and as Departments themselves are reluctant to give them up because their duties also have extended very much owing to the war.

Now, Sir, the next point which he made was that I.C.S. and other administrative posts are not technical posts and it is not fair to give the answer that you must have technical officers for such posts. With that remark, I entirely agree. It is perfectly correct that we have many posts which do not require technical qualifications. But when you come to examine the matter more deeply, you find that it is not so easy to get Muslims for our higher administrative posts. Now, take the I.C.S. cadre. When we want to recruit I.C.S. officers we have to go through the Establishment Officer of the Government of India and approach the Provincial Governments to release suitable officers to us. The Provincial Governments are themselves short of Muslim Officers and not always willing to give them up. We are not the only Departments who require Muslim Officers, and it is not possible for us to get the officers whom we would like to have in all cases, or indeed in most cases.

Then, again, I do suggest to my Honourable friend that the right way of looking at this question of Muslim I.C.S. officers is not to look at it and see how many there are in a particular Department, but to look at the I.C.S. cadre for the whole of India and to see whether the proportion of recruitment for the I.C.S., as a whole, which is an All-India service, is being observed. If their proportion in the whole I.C.S. is correct, then the fact that one Department may have a less proportion of Muslims or another Department a higher proportion in I.C.S. Muslim officers seems to lose a good deal of its relevance. That is all I wish to say on that point.

The next point made by my Honourable friend was that the statement sent to him by Sir Homi Mody showed that between 1st August, 1941, and 1st October, 1942, there had been in many cases a fall in the percentage of Muslims employed in the Supply Department in its various branches. Well, Sir, I regret that looking at it from the point of view of percentages that is perfectly correct. But my Honourable friend did not mention that in all the cases which he quoted, the actual number of Muslims employed had increased, that is to say, there has been a fall only in the percentage of Muslims compared with the total of the departmental strength, but there has been an increase in the total number of Muslims employed. For instance, in the Directorate General of Supply, amongst Officers, they had risen from 12 to 23, amongst the higher non-gazetted staff from 42 to 70, and amongst the routine staff in the office of the Chief Controller of Purchase, Supply, from 84 to 146.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): What about the total?

Mr. J. A. Mackeown: I am coming to that later on. The only point I wish to make there is that we have recruited considerable numbers of Muslims, although we have not been able in all cases to maintain the correct proportions. Now, Sir, I can say, and inside the House very much by saying, that we have a high percentage of Muslim officers in certain branches. For instance, I may say we have 50 per cent. Muslims among the Chief Controllers of Purchase,—very high officers, heads of the Purchase Branches. But when I tell you there are only two such officers, you will realise that the position is not as favourable to the Muslims as appeared at first sight. In the same way my Honourable friend, Syed Ghulam Bhik Nairang, ran through this list and hastily drew attention to cases where there were no Muslim officers. There are none in the Controller of Purchase's office in Madras. There actually there are only five

officers altogether and I think it is fair to claim that a case like that should be balanced by the cases where the Muslims have a higher proportion than 25 per cent. Take the officers in the Chief Controller of Purchase, Supply's office where the proportion is 41·5 per cent. Now, Sir, I have tried to ascertain for the information of my Honourable friends whether there has been any improvement since Sir Homi Mody wrote his letter to Syed Ghulam Bhik Nairang, the Mover of this Cut motion. I have not been able to get full figures, but of those that are available I shall give the chief items now. The proportion of officers in the office of the Chief Controller of Purchase, Supply, has risen from 41·5 per cent. to 43·7 per cent. In the ministerial and routine staff, it has risen from 27·6 per cent. to 27·7 per cent. It was mentioned that there was no Muslim officer in the Controller of Supplies Office, Bombay. There is now one such officer. It is rather difficult to read these figures quickly from this long list. I do not want to bore the House with a lot of figures, but here is a case where there has been an improvement in the Chief Controller of Purchase's clerical staff, at Calcutta. There has been an improvement from 23·3 per cent to 24·3 per cent. In the ministerial staff, Controller of Supplies office, Bengal, where there was no Muslim before, now there are three. Now, the general indications are—from what I have been able to find out—that since the Muslim League Party drew the attention of Sir Homi Mody to this matter there has been considerable improvement, and I think I can best occupy the time that remains to me in telling the House what we are doing to improve the position, which we do not claim is yet altogether satisfactory.

When it was discovered last year that there was considerable difficulty in recruiting 25 per cent. of Muslims in all the parts of India to which the Supply Department operations and staff had by then extended, it was decided, in consultation with the Home Department, that the percentage of compulsory recruitment of Muslim clerks should be raised in those areas where recruitment was, from our experience, easier and lowered elsewhere. Accordingly, at the end of September last year percentages were fixed for the different localities so as to bring the average recruitment based on the number of posts in the department to 25 per cent. As a result the recruitment of Muslims in the Calcutta, Karachi, Lahore and Cawnpore areas now is 30 per cent. and falls in the case of Bombay and Madras to 8½ per cent., that is to say, in the areas where recruitment is easier we have fixed a higher percentage of Muslims so that we may balance the deficiency in other areas.

Then, after the investigation caused by the Honourable the Mover's letter last year and when we had examined all the figures that had emerged from it, Sir Homi Mody ordered that a special circular should be sent to all branches of the Supply Department drawing their attention to the necessity of strict enforcement of the rules about minority representation, and we expect to get during this month returns showing the effect that the two measures, which I have already announced, have taken. Those returns are due on the 15th of March.

In addition to this, examination of the figures which Sir Homi Mody supplied to the Mover led to the belief that one reason for Muslims sometimes not yet having reached their correct share of the higher clerical posts is that no proportion had been fixed for regulating the proportion of direct recruitment as compared with promotion to such posts. Investigations were ordered as to what proportion should be fixed for all higher grade posts in the Department and when this is complete and it is possible to issue orders, it may be hoped that another step will have been taken which will result in improving Muslim representation.

I see that I have hardly any time left now

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Members have no objection, the speaker can continue for another five minutes.

Mr. J. A. Mackeown: I would like to touch on the question of recruitment of officers—I have already dealt with I.C.S. posts—such as planning and

[Mr. J. A. Mackeown.]

engineering posts and the posts which need special knowledge of trade and industry—what we may call the Deputy Directors, Assistant Directors and all that kind of posts. We have a real difficulty there in getting enough suitable men, and I can assure the Honourable Members in the Muslim League Party that if they are able to give us the names of any officers who are suitably qualified for posts of that type, as they fall vacant from time to time, we shall be only too pleased to give the fullest possible consideration to their suitability for the posts and to employ any who are suitable. We are often in difficulty in filling posts in our department and if Honourable Members will only present the names to us and help us, we will respond and give the very fullest consideration to the question whether they are suitable or not.

Finally, I should like to mention the matter, which the Honourable the Mover had not the time to touch upon, but he raised it by his motion, and that is in regard to the paucity of Muslim contractors. On that question, Sir, all I can say is this that the Supply Department itself does not know whether there is in fact, any real paucity of Muslim contractors. We have over 6,000 registered contractors but we have never been able to analyse what percentage of that figure is Muslim. There are certain firms which have Muslim names and are not, in fact, Muslims, just as there are firms with European names which are Indian. We know that for a positive fact. In addition to that we cannot possibly analyse every contract of the many thousands that we award and find out how far Muslims benefit from those contracts. The real complaint of my Honourable friends, if I may suggest that, is that their share in the trade and industry of India is not all that they would like it to be, but that is a fact which it is not within the power of the Supply Department to remedy. We need the help of all the resources of India to meet the enormous demands which are placed on us and if Muslims are able to obtain a larger share of the trade and industry of India, since the methods by which we approach industry to help us are open to all, the improvement which the Muslims are able to effect in their own economic status will at once be reflected in the amount of help which they will give to our department and we will gladly receive that help and appreciate it as we will from all sections of the House. Sir, I oppose this motion.

Maulvi Syed Murtuza Sahib Bahadur (South Madras; Muhammadan): Sir, may I ask one question? Is the meagre representation of Muslims in Bombay and Madras due to want of qualified Muslims? If so, will the Honourable Member be pleased to refer such cases to the Muslim League so that they may make recommendations of suitable qualified candidates?

Mr. J. A. Mackeown: Sir, it is, I understand, a fact that there are few qualified Muslims in Bombay and Madras, and if the Muslim League will send in names of any suitable candidates that they know of in Madras and Bombay, we will give due consideration to those candidates.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the demand under the head 'Executive Council' be reduced by Rs. 100." The motion was negatived.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Sir Cowasjee Jehangir (one of the Panel of Chairmen) in the Chair.

Mr. Chairman (Sir Cowasjee Jehangir): It is now the turn of the European Group. Item No. 28 on the consolidated list.

Means whereby the present prosperous Agricultural Conditions might be used for the Permanent Rehabilitation of Agriculture in India.

Mr. C. P. Lawson (Bengal; European): Sir, I move:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

Mr. Chairman. Sir, my Leader has already touched in general discussion upon the reasons which have led us to propose this cut. In the Honourable the

Finance Member's Budget speech, he observed that even if rising agricultural prices have done nothing else, they do obviously diminish the real burden of agricultural indebtedness, a source to which so many of the major evils which beset the Indian cultivator have so long been traced. Equally, of course, rising prices have produced other problems to consumers but that is the other side of the picture. What we are concerned with is the necessity for making full use of the credit side, while at the same time facing up to the measures necessary to deal with the debit side also. There is no doubt whatever that if the agriculturist is now experiencing a period of prosperity, it is a period to which he is entitled. His economic situation has for years compared so unfavourably with that of the industrial worker in every way that any raising of his general standard of life would be a most welcome feature. The question, however, which is exercising our minds is will the improvement be permanent or will the agriculturist in due course return to the husks of bare subsistence. I propose to leave the matter of the economic life of the cultivator to my Honourable colleague, Mr. Gray, who will, I hope, speak later in this debate, and I will confine my remarks mainly to conditions which are ancillary to the well-being of the cultivator rather than to his present living conditions and the raising of his standard of life.

As my Leader has said we quite realise that agriculture is a provincial subject, and at the first glance it may seem that some of my remarks are directed towards the wrong source. I, therefore, wish to make it clear that while agricultural policy must in the main be carried out by provincial units, there is a great need now and a great need in the future for central co-ordination, if not central control. A war produces many things which are bad and a few things which are good. One of the latter is a fuller realization of the necessity for agricultural and food economy. Nations at war are dependent upon food, and if the war is to be won the greatest economy in food production must be exercised. Equal economy in peace times could not but be a benefit, but for some reason or other there is less urgency in the consideration of this matter in peace times than there is in war time even though India is primarily an agricultural country and depends on agriculture for the well-being of hundreds of millions. Hundreds of crores of rupees may be spent in defending the country against Nazi domination, and I thank God that this is so, but I could wish that something more than a fraction of this expenditure could be spent on defending the country against bad agriculture and against a standard of life amongst agriculturists which is lower than that of any section of the people.

Let us examine the reactions of advisory bodies as soon as war conditions forced them to examine seriously the food situation. The first recommendation of the Central Food Advisory Council was that to the extent and degree necessary the Central Government should exercise control and co-ordination. Later we had the annual meeting of the Advisory Board of the Imperial Council of Agricultural Research which discussed the future planning and co-ordination of agricultural research in order to get maximum results for all provinces. If there is any doubt as to the need for central co-ordination and direction, I would merely ask two questions: first, what would be the effect on other provinces adjoining a province which subsidised and increased its food crops on a very large scale, so that there were large surpluses for disposal in other provinces at cheap prices; and, then, what would be the effect if a province encouraged the production of large quantities of poor crops to the detriment of the soil and the standard of life of its cultivators and marketed this produce in any province which encouraged better and more expensive methods, raising the living standards of its people and preserving the fertility of its soil. It may be argued that control would militate against provincial autonomy, but there should be no reason for this if sound economy and planning could be universally agreed upon. It is the absence of such co-ordination which has led in some measure to the

[Mr. C. P. Lawson.]

poor standard of agriculture and the poor level of prices which prevailed in this country up to the outbreak of the war. The vicious circle was started whereby the cultivator, although he might be able to feed himself, could possess but little money for his other needs, and, therefore, descended into a quagmire of indebtedness which impoverished himself and his land. If we have temporarily broken that vicious circle by increasing the price of food crops, can we not do something to ensure that the circle is not reconstituted? Can we not, for instance, establish in all provinces a fixed minimum price for crops and make central arrangements for dealing with surpluses and deficits? Clearly there is no chance of fixing minimum rates if cultivators are left with large surpluses for private disposal, and if these surpluses are not to reach uneconomic levels, there must be careful planning upon which all provinces would require to agree. But there seems to be no reason why some steps should not be taken in this direction before the Grow More Food campaign induces a situation wherein agriculture will slip back to its old uneconomic price levels.

This is a broad point and the necessity for maintaining price levels may be regarded as a truism. I am not unaware that crop yields in one province differs from crop yields in another, so that a price which would mean prosperity in one centre might mean poverty in another. But this problem should not be incapable of solution, first by careful planning so that the land produces the crop for which it was best suited; secondly, by improving methods of agriculture and irrigation; and thirdly, if necessary, by subsidising backward areas. As regards crop planning, there are clearly a number of main divisions which can be made, provided there is mutual agreement and a mutual guarantee of prices; and upon improved facilities for agriculture, I have a few remarks to make. In the first place, if the economic state of the cultivator is improved and if that improvement can be maintained there is no reason why the fertility of the land should not be protected, if necessary, by law. If the proper manuring of a crop will give a cultivator say, 20 per cent. increase in crop yield, the cost of such manuring must not exceed the value of the 20 per cent. yield increase. Unfortunately pre-war crop prices did not give this return and inadequate manuring leads to a progressive loss of fertility. Also the large majority of cultivators were too poor to buy fuel and the natural manure which should normally find its way into the soil found its way only to the cooking stove. The crops which before the war were generally manured were the money crops and not the food crops. Tea, sugarcane and the like gave sufficient return, but the country cannot live exclusively on tea and sugarcane. If food crop prices can be kept up there is no reason why good manuring should not pay in rupees, annas and pies, and in the longer view the fertility of the soil would be maintained. The utilisation of refuse and other methods are freely suggested, but there would be no difficulty in finding sufficient manure if manuring paid. In green manuring alone a large and most effective method lies open.

And now, may I say a word on the subject of irrigation. India is both fortunate and unfortunate in having a rainy season which provides a *kharif* crop of a type which is easy to cultivate but which takes a lot out of the soil for little return. Apart from this, there are dry season crops which depend largely upon irrigation and which are most important. In the whole of British India some 55 million acres can be irrigated and the water which supplies this irrigation comes very roughly, one quarter from wells, one quarter from tanks and the like, and one half from canal schemes. In other words, the irrigation water of India comes roughly one quarter from below the ground, one quarter from the ground level, and one half from above the ground level. Now, it is obvious that water cannot be raised or transported over the level without some labour or power, and we are all used to the sight of draught cattle which require to

be fed and maintained, drawing from wells the water which irrigates the fields. About 50 per cent. of the irrigation water of India presumably finds its way to the fields by the force of gravity and the other 50 per cent. mainly by labour or power which costs money. Many provinces have irrigation schemes of which they are justly proud, but if more money could be sent on further schemes of this nature, there is little doubt that they would not only improve the situation of the cultivator but also prove to be valuable investments. As an instance, I would quote the Ganges Canal Hydro Electric Grid. It supplies many districts with irrigation water, 93 towns are supplied with electric current for lights and fans; nearly 1,700 electric tube wells are worked by the electricity supplied, and a number of minor industries draw their current from this source. Is it impossible that one day more of the millions of tons of water which find their way to the sea from India's great northern water-shed may be harnessed in the place of the bullock so that they provide not only irrigation for the fields but electricity for industries, railways and household use? I claim no originality for the suggestion which has been exploited by many Provincial Governments in past years, but when crores of rupees are being spent by the Central Government for the very necessary purpose of defending the country against aggression, I cannot stifle the wish that some crores could equally be made available for such schemes as the Ganges Canal Hydro Electric Grid, which are not so much expensive welfare measures as good paying investments.

There are many other undertakings which might well be planned now when the financial position of the ryot has somewhat improved and when with Government assistance permanent benefits might find their foundation. For instance, I would like to see a review of money crops which can be grown in India and which could be used not only for internal consumption but also for export. Such crops as Cinchona and Pyrethrum would bring in money and supply a very great need in India itself. I know I shall be told that these matters have already been examined, but the fact remains that India has had to import quinine in the past and has now found herself short of a product which can be produced in the country. I believe also that the health of the cultivator is a matter which greatly affects his ability to work and to work efficiently. If some system of medical benefit could be started whereby the cultivator could be certain of cheap medical attention and access to the necessary remedies for universal troubles, I feel certain that the general health of the agricultural population would greatly improve. Malaria, hookworm and other diseases are present locally in all provinces and they limit the efficiency of cultivation while increasing the general burden. Even so, little can be done until housing and sanitary conditions receive attention. If the cultivator could be assisted to build for himself pucca structures which last for years instead of requiring repairs and rethatching every year, his housing could be far more economical and far more sanitary. Once again, I fear that I am putting forward nothing new. Efforts in this direction have been made in the past and have met with some local success, but equally I suggest that it is a long time since agricultural conditions have given us such an opportunity for renewed efforts. Should we succeed now in even one of the avenues which I have suggested, we will establish something of permanent benefit.

These are all schemes for the betterment of agriculture which by central co-ordination and guidance might help to place India's agriculture on a standard which would not be the lowest common factor but the highest common factor. Much depends, I admit, upon the education of the ryot and this is a matter with which my Honourable colleague will deal. All I will say in conclusion is that we have here an opportunity of deriving some good from much that is bad. The first step in any scheme for the rehabilitation of agriculture must be to improve the standard of life of the cultivator. If the war has forced us to take this initial step, can we not ensure that, even if we cannot progress,

[Mr. C. P. Lawson.]

we at least do not resile. In times of emergency, the Central Government has to take to itself certain overriding powers as necessity demands. If these steps necessitated by war time can produce the beginnings of agricultural co-ordination for peace times we will be justified in saying that it is an ill wind which blows no one any good. Sir, I move.

Mr. Chairman (Sir Chowasjee Jehangir): Cut motion moved:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

Mr. B. L. Gray (United Provinces: European): Sir, my Honourable colleague who moved this cut motion made it clear that in my speech I would be dealing mainly with the economic life of the cultivator and the means whereby his standard of life might be raised. I take it as axiomatic that if we can raise the standard of life of the cultivator in India, we will raise also the standard of cultivation and this is a development "devoutly to be wished." As the Honourable the Finance Member said, agricultural indebtedness is the source of a number of major evils which beset the Indian cultivator. Let us consider what some of these evils are.

In the first place, a cultivator is usually born in debt, lives his life in debt and dies in debt. He is thus dependent during the whole of his life upon money which is advanced to him, frequently at a very high rate of interest. Without such loans he cannot pay the rent for his lands or purchase the seed or equipment necessary for the earning of his livelihood, and clearly, since he must pay heavy interest on everything that he borrows, he limits his purchases to the bare minimum which will show him some return on his money. The loans made to him cannot be described as unsecured loans, even though the interest is so high. There is always the security of the crop, but whether this turns out to be good or bad, the proceeds go to the moneylender rather than to the cultivator. Because he lives on a bare subsistence, he is unable or unwilling to give the land the treatment which it requires. Truly by overcultivation he knows that the land will deteriorate, but to provide for the more distant future, is a luxury in which he does not as a rule indulge. Neither the cultivator nor the moneylender are seriously concerned with maintaining the land at a high standard of fertility; the concern of both is to get a quick return for their money.

As my colleague has said, the first step in any attempt at improving this deplorable situation must be to improve the financial state of the cultivator and if by reason of war profits this step has been taken, the Central Government and the Provincial Governments have two clear duties; the first is to see that the period of prosperity is used as far as possible for permanent benefit and the second is to try to arrange that the improvement is maintained. May I say at once that my sympathy with the cultivator does not extend to countenancing profiteering on his part? I have heard that many cultivators are withholding their produce in the hope of securing higher prices, and if this is the case, corrective measures may be necessary. On the other hand, I am of opinion that the universal indebtedness of the cultivator will not permit of a general retention of supplies and I certainly would not acquit the middleman of a wish to profit by any shortages in foodstuffs. However that may be, I certainly realise that the cultivator is singularly deficient of any leaning towards thrift, and if he finds himself with money to burn, burn it he will. He has never been taught to do otherwise; so, if the money-lender does not take his profits, he spends them on such articles as cheap jewellery and things of no productive value. This brings me to my first point.

The Honourable the Finance Member, in his Budget speech, referred to war savings which he said meant to the State an indispensable aid to victory and to the investor a precaution against the perils and uncertainties of the transition from war to peace. Even if the cultivator could be made to understand this, he has no facilities for investment nor any understanding of what such investment means. There must be many producers and dealers in produce who now have money to invest and indeed while I appreciate the difficulties, I can

see virtue in compulsory investment. But even if investments cannot be made compulsory, there can at least be provided some means whereby the bare possibility of investments and the provision of facilities can be fostered. I do not propose to go at length into the matter of co-operative societies or farmers' banks; most provinces have attempted such development in one form or another and without much success. They have found it generally impossible to compete successfully with established methods of finance, which were based on permanent indebtedness. But if that permanent indebtedness has been in any way removed, there is a chance for another attempt to promote habits of thrift. It is worth spending a considerable amount of money on propaganda to this end, but I do admit that the barrier of custom will be formidable. When a marriage can absorb a man's earnings for a period of years, and when death can involve him in a ceremonial of a most expensive nature, it is difficult to convince him that thrift is desirable. I trust that I will give no offence to religious susceptibilities when I say that it seems to me that the expenses incurred by poor people on such observances cannot be justified from any moral view-point. I would earnestly inquire from my Hindu friends whether they cannot devise some means of removing this burden from the shoulders of the poor.

To return once again to the more general question of rural uplift, I realise that many Honourable Members will already have experience of provincial endeavour in this respect. In many provinces there are Purchase and Sales Societies, there are "Better Farming" societies, there are Debt Redemption societies and Debt Conciliation Boards. All these are excellent in their way, but they have not even scratched the surface of rural indebtedness. Perhaps indeed indebtedness had gone too deep to permit of their success or of the success of any measure inclining towards thrift. If you are facing a lifetime of debt, the degree of that debt declines in importance. There is a helplessness in the situation which precludes the appreciation of anything but present benefit and this is an attitude of mind which will be difficult to change. A cultivator, finding himself at last with a little money to spend, will wish to enjoy that unique situation even if afterwards he slips back to his old situation of hopeless debt. This, therefore, is the psychological moment to strike and to redouble the efforts which have produced the Debt Redemption Societies, Purchase & Sales Societies and the like.

In the larger agricultural countries, farmers' co-operative societies, standardising the prices of produce and advancing seed or equipment are already the rule rather than the exception. Indeed, the Soviet Union goes further in co-operative farming as State employment. I do not suggest that individual effort in such undertakings can be eliminated, but certainly the small holder might find relief in local co-operative movements and some general system might be devised whereby the needs of good agriculture are made available to the cultivator by some Government-supported organisations which will also guarantee the disposal of farm produce at minimum rates. Such measures would certainly necessitate the enforcement of some ordered planning and would impinge upon the liberty of the cultivator to grow what he liked, where he liked and how he liked. But if he could be made to understand that this would be to his benefit, he would soon know where his interests lay. I can, in fact, see no means whereby minimum prices can be maintained unless there exists some purchasing organisation on the lines of the farmers' co-operative societies to which I have referred. These societies could maintain direct touch with Government and supply the organisation by which surpluses and deficits could be dealt with.

The farmer all over the world is probably the most independent member of society and resents, more fully than any one else, any interference with his liberty to cultivate or to carry on his farming in the manner which suits him. He is the acme of conservatism and strongly resents new customs or new restrictions. But however true this is, there are a number of restrictions aiming at the general protection of agriculture which apply in other countries and might

[Mr. B. L. Gray.]

well be made to apply in India also. There will be obstruction to begin with and possibly trouble, but this should not deter any Government from introducing measures which will be of ultimate benefit to the agricultural community as a whole. Apart from the maintenance of the fertility of the land there is the maintenance of livestock regarding which our present Viceroy has made such great efforts. The extent to which such restrictions can be enforced by law is a matter for careful consideration and central co-ordination. The extent to which good breeding can be enforced and the provision of suitable animals for stud, are all matters which can best be undertaken when the cultivator is in the best position to face the "growing pains" which the initial stages would probably produce.

Although possessing some connection with farming interests in Bihar and the United Provinces, I speak as a layman with no particular knowledge of agriculture or of livestock farming but no specialised knowledge is required to realise that the removal of antiquated methods must involve early difficulties and early disabilities. With the cultivator in his pre-war state of indebtedness and poverty, such difficulties and disabilities might rule out the possibility of a step forward, but if the Honourable the Finance Member's anticipations regarding the situation of the cultivator are in any way justified—which I believe to be the case—the latter can face some early discomfort. There will be many problems which will find their solution only by trial and error, but trial can now at least take place without undue risk. There will doubtless come a period after the war, when there will be financial stringency and considerable dislocation in transferring the needs of war to the needs of peace. If agricultural reform is left until then, a great opportunity may have been missed. There will not only be changes from war to peace but also changes of a political nature involving the dislocation of many established organisations. The pre-occupations of war are many and pressing but to some extent the central organisation and control of agriculture which war conditions have necessitated, run parallel with the more permanent needs of the agricultural situation. Necessity has in fact provided the machinery for central activities in connection with food crops which may well exercise permanent as well as temporary significance. Rural uplift once established will not be readily relinquished whatever the other changes may be. Once good farming becomes the standard, it will be of permanent benefit. Sir, I sincerely trust that those in authority will not permit the opportunity to lapse.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): Sir, the first thing I would do is to express my satisfaction at the European Group taking such keen interest in agriculturists and agriculture in the country. The prosperity of any country depends upon the purchasing power of the people of that country and India, being an agricultural country, the prosperity of this country would certainly depend upon the purchasing power of the agriculturist. The more such power, the more are industries likely to prosper in this country. It is not necessary that because this country has once been agricultural, therefore it should remain an agricultural country indefinitely. This country contains minerals and other raw materials which can be utilised to promote the industries of this country. If this country is industrialised, then surely, it will become rich. As in the case of all industries, so in the case of agriculture, two things are necessary, namely, capital and labour. The agriculturist's capital is the land and the man himself is the labourer. There is no doubt that the more skilled the labour the better the outturn. So, if the agriculturist who labours on the land is an educated person and has knowledge of agriculture, then certainly he can get greater outturn on the land than any illiterate person. If the land is of superior quality, it will bring him greater return. Let me say that though the Indian agriculturist may be illiterate, he knows his profession very well. He may not be able to read and write but he knows what crops are good for what soils and he is not inclined to waste his

money and labour where he will not get a proper return. By the experience which he and his forefathers have gained, he has become wiser and knows what crops are good for what climate. It may be that some provinces are subsidised by Government and other provinces are blessed by Providence. There may be good facilities for irrigation in one province and there may be no such facilities in another province. In some provinces, conditions are more favourable than in others. It cannot be said that in any particular province the agriculturists do not know what crops to grow and how to grow them and when to grow them. Charges have been levelled that the present position of the Indian agriculturists is due to his spending extravagant sums on marriage and other functions. This is a very very old charge. I do not think that the present indebtedness of the agriculturist is due to any such thing. I can very well say that, from my own experience, the agriculturists have not much money to spend on these objects. The agriculturist of today is not the same as the agriculturist of 50 years ago. The present day agriculturist is not inclined to spend money on extravagant matters. This false charge shows the mentality of the officers who do not want to take any responsibility for their actions. They say that the agriculturist has brought all his troubles on himself through his own actions and that he is illiterate. You cannot very well raise that argument now. These are very old and exploded arguments. Rural uplift is very much associated with the uplift of agriculture, because the agriculturists live mostly in rural areas and if there is a rural uplift, it will certainly benefit the agriculturists. The introduction of medical help would certainly help the agriculturist and make him more efficient. Efficiency of labour is always necessary for proper outturns. The emaciated agriculturist who is knee deep or ears deep in debts has very little health or sustenance left in him but he carries on somehow. If proper help is administered to him in the shape of sustenance and medical assistance, he would certainly be very efficient in his work.

Now, Sir, from my point of view the one thing that is essential is to fix the economic minimum price of the agricultural produce. If that is not done, nothing else can help the agriculturist. You are carrying on "Grow more food" campaign. But if the agriculturists were to grow more food in response to your demand and irrespective of other things, the supply will increase. If the supply increases, the prices must go down. This is a very simple rule which he has learnt by experience. If you are not going to guarantee the minimum economic price, there is no incentive for any agriculturist to grow more crops, whether they are food crops or money crops. I had raised on the floor of the House so many times the question about the short staple cotton and I was always told by the then Commerce Member, Sir Ramaswami Mudaliar, that I made the most bitter speeches when I was speaking as an agriculturist. I told him that he would have to listen to most bitter speeches from me hereafter. There is somebody else to hear my speeches today in the absence of Sir Ramaswami Mudaliar. What I used to insist upon then was that you must fix the minimum economic price for this variety of cotton. The then Commerce Member was in favour of fixing the maximum price which was too low. People were not prepared to sell it at that price. So, what you have to do is to fix the minimum economic price so that persons might compete with each other in order to get more cotton at a better price. By fixing the maximum price which was low in itself every purchaser speculator profited in buying. Even the Government themselves went to the market and purchased at a lower price. The only body that would come into the market and purchase cotton would be the Government just to keep their word. They had fixed a very low price. In fact, it was so low that it would not meet the cost of production. I wished to benefit those who were growing food crops, and it was because of that that on the floor of the House I constantly urged that there should be no price control. I carried a campaign in my province and also through the

[Mr. Govind V. Deshmukh.]

press that there should be no price control of the foodstuffs. For years together, very nearly till last year, the agriculturists were suffering from depression. This depression was brought about by world conditions as well as by the conditions in this country and when they were just going to have favourable circumstances to improve their conditions, a hue and cry was raised. It was said that the prices were going up and they should be controlled and they should be brought down. All persons except agriculturists had benefited owing to this depression because their purchasing power had automatically gone up twice or thrice, because the food and cloth they used to purchase for a particular amount were now being purchased for a much lower amount. When the agriculturists were suffering from depression, Government did not think of starting any relief societies for them. Government did nothing of the kind. Neither the public did anything. So, if you want the food to be produced on an extensive scale in this country in order to meet the needs of the civilians and the army, you must fix the minimum price and the minimum price should be such that the agriculturists ought to be able to have a fairly good margin of profit so that they may recover from their present position. In other words, you must guarantee the minimum economic price for a very long period of time in order that they may cover the loss they have already incurred and save something. It is a misrepresentation of facts to say that the agriculturist today is benefiting tremendously or the conditions are very prosperous for him. The conditions have only recently started improving. They have not been able to get themselves out of the woods. They are still in debt. There is nobody to free them from the quagmire in which they find themselves at present. So, the most essential thing is to fix the minimum price for a long time. That is the only way of salvation that I can see for the agriculturist.

Then with regard to co-operative societies and co-operative banks. These institutions have been in existence for a very long time, but the real agriculturist has not been benefited by them. That is my experience so far as the co-operative societies are concerned. It may be that people in the Punjab are more fortunate but so far as my province is concerned, I do not think that these co-operative societies have to any extent benefited the agriculturists as a class.

Then, the next thing that I wish to touch upon is the marketing. The Government must devise certain methods by which they could dispose of the produce that may be surplus or that may have been produced by the agriculturist which he can safely put on the market, merely fixing the minimum price will not do. They must themselves purchase his produce. If they purchase the whole stock, then alone can they come into the market with a certain price. Government can very well have a margin to meet their own expenses for transporting and disposing of the agricultural produce and the original cost at which they have been purchased. So, it would be necessary for them to open up their own agencies so that the crops of the agriculturists may be sent to the agricultural markets and reasonable and profitable rates could be secured for them. It may be necessary on account of the war conditions not only now but hereafter also that certain long contracts would have to be entered into with other nations which import agricultural produce. In those circumstances, it would be necessary for the Government to secure such contracts as would be profitable to this country. It would be no use giving preferences to other countries in the matter of agricultural raw produce to the disadvantage of this country. It may be that tariffs would also have to be fixed in order that the minimum price should be maintained. It may be that legislation will have to be enacted to maintain these minimum prices, but the basic thing is to fix the minimum economic price for a long period of time so that the agriculturist may feel safe and secure; it is the panacea for all the evils of the agriculturist.

Maulvi Muhammad Abdul Ghani: It is said that these are the prosperous days for the agriculturist. I do not agree with that: these are not prosperous days for them. Owing to control system, whatever is produced by the agriculturist, just after the harvest season, has to be sold at a very low price. Government fix up prices for foodstuffs, and the agriculturist has to sell it. So the poor agriculturist has to sell all his foodstuffs, etc., at a very small price. Last year there was a case in the Punjab when the Government of India fixed price for wheat at Rs. 5 per maund but the Government of the Punjab purchased wheat at the rate of Rs. 5-8 per maund. However, take it that the control price was Rs. 5-8 a maund. Now, the wheat is being sold at present at more than Rs. 15 per maund. Now, the poor cultivator sold his produce at the maximum price of Rs. 5-8 a maund in the beginning of the year. Who are being benefited and who are in prosperous conditions? Not the poor agriculturist who sold his produce at Rs. 5-8 a maund, but the companies—middlemen and the like—C. K. C. C.—which are going to take the place of the East India Company. They purchased in lot and exported it to other countries at the cost of the inhabitants of this country. There is a campaign called "Grow More Food" campaign. It is just on paper, and it is not helping the poor cultivators. Actual help is required to be given to these poor cultivators. There are certain things which stand in the way of the poor cultivators. They may be helped and they should be encouraged to grow more food in the interest of others also who are living in this country and elsewhere. They require help in matters of manure, irrigation and consolidation of their holdings. Their holdings are divided. If any cultivator wants to irrigate his holdings or to put manure in his holdings, it is very difficult for him with a small area—say half an acre here and half an acre there—scattered over different places. He feels great difficulty in the supervision as well. I think, it is the duty of the Government of India to impress upon the various Provincial Governments to legislate on this point that there should be a law enforcing consolidation of holdings, so that the agriculturists—cultivators—may be given facilities and it will help them much. A cultivator who has one acre here and another acre there, it is difficult for him to look after it properly. If there is a law permitting consolidation of holdings, cultivators can very well irrigate and take care of the holding without much difficulty.

In this country on account of poverty, as you know, Sir, the manure which is in the shape of cow-dung, is used as fuel. If the authorities here, I mean the Government of India, should have taken care to improve the condition of poor cultivators, they would have provided some money in the shape of subsidy in their budget and with that amount the poor cultivators would have been supplied with manure free of charge. Some system of irrigation should also be introduced in this country: not like big irrigation systems as in Punjab and Sind and other places, but on a small scale. After the legislation of consolidation of holdings some system of pumping machine or something like that can very well be introduced by which they can irrigate more area than they are at present doing. Sir, in this way they can be held and they can grow more food and in that case only when they will be growing more food their conditions may be said to be prosperous one. These days are not prosperous for the agriculturists at all. After great labour in Bihar they produce sugarcane. The maximum price fixed in the beginning was annas eight per maund; now it has been raised to annas ten or twelve. But the poor cultivators who had sold their sugarcane in the beginning of the year, would be losing three annas or four annas a maund. They are not going to get anything more. When at the time of harvest a certain control price is fixed for food grains and if afterwards that price is increased towards the end of the year, then the poor cultivators should get proportionate share of that increase. In that case the poor cultivators can be helped. It may be done, if Government are out to bring the poor cultivators in prosperous conditions. The Government should also provide some money in the shape of subsidy to

[Maulvi Muhammad Abdul Ghani.]

help the agriculturists and that would be a better substitute for dearness allowances. All the amount which has been provided under dearness allowance can with some addition be provided under one head and given to the poor cultivators as subsidy. Manure should be distributed free of charge and loan may be given to them without interest and irrigational facilities should be provided. Thus the quantity of food grain will certainly be increased. It has been pointed out on another occasion that with all the efforts in the direction of "Grow more food" the acreage under cultivation of wheat and rice has been decreased to a large extent. If it is going to be decreased, how the outturn will be increased, except by means of subsidy, so that they may get manure free and they have some facility in the matter of irrigation. With these few words, I resume my seat.

Mr. Lalchand Navalrai: Sir, I think we are covering a very wide issue at present when we should only look at the present conditions and try to meet those conditions. Now, the conditions at present are that there is a scarcity of food; food is wanted for the poor as well for others and for war front also. How are you going to produce more? This is the main question and every question should be considered in this light. There ought to be some co-ordination between the Central Government and the Local Government. The second thing is that prices should be considered and when you have more production, then and then only you can consider of this minimum and maximum prices. First of all look at the production and the means by which you will do it. What have you done upto now? Local Governments have been doing in their own way. Some Local Governments are bankrupt to give help to the poor agriculturist. You have been negligent all this time, and it is on that account that there has been no sufficient production. But now the time is coming when you cannot afford to be negligent. I know, Sir, of the agriculture in Sind. We have got barrage which gives water. Apart from the consideration or rather the dispute between the Punjab Government and the Sind Government. I think there is still water for purposes of more cultivation. What are the conditions there? There are three classes of people. Everybody should not be called cultivator, there are big and small landholders, and there is the cultivator who only tills and who owns no lands. In Sind, the first category is the class of tiller or the cultivator. The second is the small landholder, who owns a few acres of land, one or two acres, and the third is the big landlord who may be called the bull dog, who controls the under-dog, namely the cultivator. The cultivator in Sind does not get even as much as an ordinary labourer gets. The cultivator has no land of his own. He has to provide himself with seed, he has to till the land himself. Of course, he borrows from the zamindar and pays afterwards for the seed. The second thing is he should have bullocks to plough. Money is needed for all that. The zamindar gives him money but at the time of the harvest, he has first lien on the produce for his money. When the produce is ready, a division is made. In Sind, it is mostly half and half. The cultivator is actually a beggar. Even half the produce which is his due does not go to him. The landlord has to pay Government assessment. So far as the cultivator is concerned, he must also pay for the perquisites of the zamindar. The zamindar will tell him, I have been paying something to the tax gatherer, something for entertaining some officers and so on, with the result that the cultivator has to bear all these expenses. Then nothing remains for the poor cultivator. This is the condition of the cultivator, who is the tiller of the soil himself. You cannot expect him to till more land when nothing is left for him to live. There is no surplus left for him. He is actually living from hand to mouth. Who is going to do something for him? What the Government can do? I shall come to it later on. With regard to the small landholder, his condition may be a little better because he has got his own land to some extent. He is at the same time

not much different from the cultivator because he has to provide for bullocks, for the manure and for everything. Then comes the big landlord.

An Honourable Member: The cotton grower.

Mr. Laichand Navairai: Yes, cotton grower also. Cotton is of late growth in Sind after the Sukkur barrage. So far as the bigger zamindar is concerned, he is also helpless. He has got large tracts of land, but he is not able to cultivate all of them. He leaves large tracts uncultivated. What have the Government done for him to enable him to bring under cultivation all the land he possesses. Have the Government helped him with any subsidy. If only the Government had enabled the big landlords to cultivate all the lands they possess, then there would have been no occasion for complaining for scarcity of food. In Sind, where there is much scope for cultivation, the Government are not doing anything. The Sind Government is being run on the subsidy from the Central Government. If the Central Government wishes for more food for the purpose of keeping people satisfied and also for winning the war, then they must come forward to help the zamindars. Now, then, it may be said, there are co-operative societies. But the condition of co-operative societies in Sind is not rosy. They are in the most deplorable and in the most condemnable state. Of course, there are co-operative societies in Sind. The co-operative system prevails there. But what happens? The cultivator is in need of money, so is the big zamindar, the big zamindar wants more and more money than the cultivator. The poor cultivator at least can go on if he has some small means to eat and he can pull on, but what about the big zamindar? He has to live in luxury. What the big zamindar does to get money from the co-operative bank is this. He goes to a co-operative bank along with these cultivators and then represents to the officer in charge of the co-operative society that these cultivators want money for tiling the land, for purchasing manure and purchasing bullocks and so on. In this way the big zamindar is able to get a lot of money in the name of the cultivators and takes it away. Now, these poor cultivators do not know what has happened. They have simply to sign the forms. Such cases were very many in Sind. So much so, that some co-operative societies become bankrupt on that account in Sind. The big zamindar takes away all the money. He keeps it to himself. When the time comes for payment of the debt, and when the zamindar is called upon to pay up the dues, he refers them to the cultivators. The poor cultivators are hauled up, but then they have no property and the co-operative society is not able to realise the money from them. This is what happened in Sind. I have learnt that in some Provinces the co-operative societies are working well. But in Sind, unfortunately it is not so. I submit it is the duty of the Central Government to see that all the lands are cultivated if they want to get more food, they should see that no land is left uncultivated on account of the negligence or fault of the zamindars. The Government should advance the big zamindars and cultivators some money to enable them to cultivate these lands in full. You cannot depend upon the Local Government, because the Local Government in Sind is not rich. Though they say that it is the people's Government in Sind, yet it is not so. It represents mostly the Muslim League people. So, I submit the Central Government should take up the matter in their own hands if they really want to further war efforts. If the Government on the other hand is only bent upon collecting land tax somehow or other without caring whether the lands are cultivated or not, they are not going to solve this food problem. They cannot produce more food. When first more food is produced, then will arise the time to control prices, and fix minimum prices or maximum prices. Of course, the question of price control is also very important. It is also a moot question, but the very origin of it is more production. When the food problem was very acute we asked the Commerce Member as to how he proposed to produce more food because the crops of last year did not yield sufficient quantities to keep the war front going or even to feed the people, even though from hand to mouth. The

[Mr. Lalchand Navalrai.]

an-wei was that they expected more production this year. When we asked the Department, how much, they were not able to give the figure because the month was not yet over. They said, let February be over and then they will give us figures. That is how they are tackling the problem. What confidence can we have in what they say. We will all starve and then there will be a great trouble. Government should realise that all are not Mahatma Gandhis to go on fasting and yet live; the people should be given enough to eat. They require food and if you are not going to provide them with food, then the Government will come to an end. All kind of foodstuff should be cultivated more and more. That is the solution. No doubt people need more food and also more clothes. I think foodstuffs should, however, take precedence. In certain areas where there is more cotton cultivation, let there be less cotton growing. But what is more urgently required is the cultivation of rice, wheat, *juar* and *bajra*. All these grains are needed for all people and, therefore, the cultivation of these crops should be increased. Of course, in Sind, they have restricted certain portions for rice, they have also restricted certain portions for wheat. They also allow some land for cotton. There again they are creating many difficulties. If land is such that only rice can be cultivated, they still want that wheat should be cultivated. Why? Because they say that Engineers have earmarked the land for the purpose of wheat. These are the difficulties. The Central Government should be very vigilant for more productions. They should co-operate, rather co-ordinate, with the Provincial Governments and give them enough money for agricultural purposes. If they do so, the whole difficulty will be solved.

Sir F. E. James (Madras: European): I should like, if I may, to bring the House back to the main points which were made by my Honourable colleagues.

Mr. Lalchand Navalrai: I hope I added to them.

Sir F. E. James: I take it that my Honourable friend was speaking as a cultivator. (Interruption) I hope he cultivates his constituency. But I am sure, like most of us, when he ploughs and scatters his seed, it falls upon extraordinarily stony ground and in some cases the weeds grow up and choke it altogether.

I think it is better to get back to the main topics of the cut motion because we are very fortunate this afternoon in having, to listen to this debate, and I hope to reply to it, the Honourable Member in charge of Education, Health and Lands. I am tempted to repeat what a Palmerston once wrote to some one: "Thank God. At last we have a farmer in charge of agriculture". The Council consists of very eminent and wise men: We have the big business magnates and indescribable riches; we have the financier; we have the lawyer; we have the absentee landlord; and we have some distinguished members of the Civil Service, but we have in Sir Joginder Singh a farmer, one who has had practical and direct farming experience and, therefore, we look to him to give us a reply to the main points that have been urged in the course of this debate.

Now, what are these main points? As far as I understood the speech of my Honourable friend, Mr. Lawson, he asked a general question. He said, what is perfectly true, that through the exigencies of war we have learnt some very valuable lessons. One lesson we have learnt is that by direct central control and co-ordination we can benefit the agriculturist by keeping in reserve large stocks which can be thrown into the market, and which by their purchase can ensure a reasonable price to the agriculturist, and at the same time break the hideous ring of the middleman who stands between the welfare of the agriculturist and the benefit of the consumer. Now, if that can be done in war-time why cannot it be done during peace-time. I myself have had experience in the last two years of a form of co-operative marketing in connection with the coffee industry. I have been completely convinced by my own experience in that small industry of the enormous possibilities of widespread co-operative marketing, under direction and control. What has that done in the case of coffee? Rather

I would say what is it doing in the case of coffee? It is, first of all, ensuring that the producer, who must get rid of his produce within a comparatively short time, is not forced to get rid of that produce at a very small price. In other words, instead of his being forced to sell to the middleman at a low price, while the middleman can afford to hold for some months and then sell later on at a high price, the co-operative marketing organization has now stepped in and is purchasing coffee from the producer at a reasonable and remunerative rate. Indeed it is borrowing, at reasonable rates, from the Central Bank in order to pay the producer who must have money in hand at the beginning of the season in order to pay his agricultural expenses. Then, when the marketing organization holds the crop and releases it to the market over the remaining months, it can at least ensure that the crop does not go uncontrolled into the hands of the middleman, and the middleman is thus prevented from hoarding to ransom the consumer. Now, Sir, it is that kind of action that, I believe, my Honourable friend, Mr. Lawson, had in mind when he spoke of the necessity of carrying into peace some of the methods which the emergencies of war have shown to be so feasible and so advantageous to the producer. That is one point.

Another point he made was that it was essential for the economy of this country that the growing of money crops should be encouraged. Now, what is my Honourable friend in charge of the Department doing to plan and encourage the growth of money crops?

The third point he made relates to, what I may call, the rationalization of agriculture. I was very interested to hear the Honourable the Finance Member talk about the utilization of the sterling balances, and about certain proposals which were in the air in regard to a Reconstruction Fund which might be used for the reconstruction of industry in this country. May I suggest to him that one of the most valuable uses for some, at any rate, of those sterling balances would be the reconstruction of agriculture? May I suggest that he listens occasionally to the voice of the agriculturist, which is not quite so vocal as the voice of the industrialist in that matter? I am told there are countries which have purchased on a large scale for agriculture within their territories, pumps for pumping water, tractors, ploughs, threshing machines, and so on. What a remarkable thing it would be if some of this money, which belongs to India and is paid by the agriculturist, what a remarkable thing it would be if some of that money could come back to the agriculturist and could benefit him. After all, the benefit of the agriculturist in the long run is the benefit of the industrialist and indeed of the whole country.

Then, Sir, I would like to add to these three points which my Honourable friend, Mr. Lawson, made, and which I have endeavoured to repeat, one further point which I regard as equally important, and that is the provision of cheap and effective transport for the agriculturist; for how can he market his goods unless he can bring his goods into the market place. If the transport facilities are there and at reasonable cost, it will help the agriculturist to bring his produce to the market-place, and that is what you want to encourage. I was going to mention this matter on another occasion, but I might just as well mention it now, because my Honourable friend, the War Transport Member, is here. I was, I must say, rather disheartened the other day when I was talking about reconstruction after the war and the necessity of doing something for road and rail transport. I was rather discouraged by what I thought was a lukewarm and somewhat indeterminate reply. It seems to me that on this agricultural question the proper planning of transport facilities after the war is of primary importance; and if the benefits which the agriculturist has gained by war conditions are to be retained in his interest, then I do beg of my Honourable friend to apply his great intelligence and industry to this problem of the provision of better facilities for transport both by road and by rail, and by water if you like, for the agriculturist. These four things, then: first of all, what measure of central

[Sir F. E. James.]

control and co-ordination is possible and feasible in order to preserve to the agriculturist the benefits that the war has given him; secondly, what can be done to ensure for him, and, therefore, to give him confidence, a minimum price for his produce; thirdly, what is being done now to plan and encourage the development of money crops in this country; and fourthly, what is being done to prepare for the future and to open up the country so that the agriculturist is not hampered and hindered by expensive and difficult transport, so that he is free to bring his products to the market-place where they can be sold direct to the consumer. These are some of the greatest problems confronting India. These are some of the problems which India must face after this war if she is to retain any of the great advantages which the war has brought to her. May I express the hope that the Government of India will, without delay, make up its mind to plan wisely in these directions.

The Honourable Sir Jogendra Singh (Member for Education, Health and Lands): Sir, I have listened with interest to all that fell from the lips of Mr. Lawson. I agree with him that the Government of India must remain for a long time a vitalising centre and a co-ordinating centre. I am in agreement with much of what he said as I will make it clear as I proceed with my speech. He dwelt on the raising of money crops, such as Pyrethrum and Cinchona, and I can tell him that we propose to place at least 5,000 acres under Pyrethrum this season and we are making plans to plant more land under Cinchona.

Mr. Gray dwelt on the problem of agricultural debt and I hold that its solution depends on cheap, short and long term credit. I am hoping to examine the problem in all these aspects. I do not agree that co-operative banks have not succeeded. If my memory serves me right, in the Punjab we have at least fifty thousand credit societies with a membership which runs into thousands, and I know that Madras and Bombay have been equally successful.

Mr. Lalchand Navalrai: Enquire about Sind, Sir.

The Honourable Sir Jogendra Singh: I did not mention Sind.

There are areas in the Punjab where the entire money for these co-operative organizations is provided by the members themselves.

The Honourable Mr. Abdul Ghani spoke on the need of consolidation of holdings. Perhaps he is not aware that in the Punjab there is a law providing for compulsory consolidation under certain circumstances and a large number of cultivators are now subscribing money to secure the services of consolidating inspectors and a very large area has already been consolidated.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): That is only in the Punjab.

The Honourable Sir Jogendra Singh: There is one point raised by Sir Frederick James with which I cannot agree. As a farmer I have always found that the middleman takes the risk and secures the best possible markets. I myself have sometimes tried to put my produce in the market directly and never gained by the experiment.

Sir Henry Richardson, while dwelling on the dangers inherent in purchasing power and advocating effective price control, was drawn—by a remark of the Finance Member that an increase of price of agricultural produce meant a reduction in the burden of agricultural debt—to ask what is being done to sow the seed for permanent benefit of the producer.

I am grateful to the Honourable friends of the European Group for giving me an opportunity, which this cut motion gives, to dwell on the plight of the primary producer and attempt in some measure to clear the soil of the weeds of wrong ideas so as to prepare the seedbed for the sowing of the seed of prosperity.

May I begin by mentioning that even in normal years our production is not sufficient to give all the people a balanced diet, and the purchasing power, which frightens Sir Henry Richardson, does not even today permit a producer of food to purchase a new set of clothes for himself and his family? The

emphasis on dangers which lurk in an increased purchasing power coming from a leader of the British mercantile community strikes a note which recalls to my mind the words of a Persian poet, who exclaimed:

"Chun Kufr az Kaaba barkhezad Kuja manad Musalmani."

"When heresy springs from Kaba itself, where can faith abide?"

The limit of our purchasing power is clearly shown by the currency which ranged round Rs. 5 per head of population before the war as compared with England and America where it stood at £13 or Rs. 133 and \$40 or Rs. 160. Our reservoir of money which was drained when England returned to gold standard is now filling up and we have about Rs. 15 per head of population in circulation. Sir John Maynard, who was the Finance Member in the Punjab, in his new book on Russia has shown how disposable surplus in money has helped in improving the economic condition of Russia. We may also hope the volume of money in circulation will stimulate economic progress in this land of low purchasing power.

May I request the Honourable Member to reflect how "within the various measures for the control, supply and distribution of foodstuffs" is it possible to plant the seed of prosperity? I would beg him to consider the problem in its proper perspective.

When we ask for control of prices and cheap food, do we not unconsciously demand that the human labour of 80 per cent. of the population should remain permanently at a low level? "Price" is defined by economists as "the value of a commodity expressed in terms of money". Value itself has two different aspects: usefulness and power to command other goods in exchange. If a maund of wheat could have the same value in exchange, to purchase cloth or a ploughing bullock, as before the war, there would be little justification for a rise in the price of wheat, but the exchange value of wheat or rice cannot be divorced from exchangeable value of other goods.

In the last analysis, we cannot escape the conclusion that it is not possible to separate production from the main structure of rural economics; we cannot increase production without guaranteeing an adequate return to the growers in money value, nor should we fix a price without taking into account the cost of production. The basic agricultural wage should cover normal needs of an average worker regarded as a human being in a civilised state.

My point is that it is not "within the various measures of control, supply and distribution of food" that we can plant the seed for the permanent benefit of the agriculturist, but by careful planning of production, creation of agricultural credits, supported by a financial policy which has no other aim but to make a better life for all the people of India.

I am sure Sir Henry Richardson will never be satisfied till we feed and clothe our whole population and give them decent dwelling houses to reside in, and some share in the gifts which nature distributes in the name of God.

As an essential basis for all future planning, we already have a great *corpus* of knowledge and experience on the technical side readily available for application once funds are provided and a policy laid down. The report of the Royal Commission on Agriculture still stands as a guide for almost any aspect of Indian agriculture. The labours of the Imperial Council of Agricultural Research in fostering and co-ordinating research over a period of years have made available detailed and authoritative information on the technique of agricultural improvement for application by the provinces, on which rests, under the constitution, the responsibility for carrying through large-scale schemes of agricultural development. The technical knowledge is expanding: what is wanted is a policy to inspire, and money to give birth to, the dry bones of knowledge and research and "make the dry bones live". United Kingdom which has less area under crops than some of our major provinces spend £6½ millions in subsidies to agriculture and guarantees a minimum wage of £3 a week to a male labourer. In short, increased production depends on increased capital expenditure on land.

[Sir Jogendra Singh.]

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Under the stress of war, we are at present concentrating on the increased production of food crops. In peace conditions we should have to divide our attention, and divide it in some scientific manner, between food crops and cash crops. Production may be increased either by bringing new areas under cultivation or by securing increased yields from existing cultivated areas. The possibilities of bringing new areas under cultivation are not great. The areas that have remained untilled lie mostly in zones of scanty rainfall: without irrigation it is impossible to bring them under the plough. I am hoping, however, to start rapid soil-sampling and testing of sub-soil water-supply in these areas to find out whether it is possible to reclaim some culturable lands for the production of crops and for afforestation.

Mr. Lalchand Navalrai: Remember Sind in that scheme.

The Honourable Sir Jogendra Singh: I will certainly do that. Increased yields are largely a matter of improved seed-strains and of improved methods of cultivation, including especially the application of manures. Chemical fertilizers are hardly within reach of the cultivator even in peace time. Oil-cake can be used to some extent, but its use as manure competes with its use as food for livestock. I have under examination the question whether leaf-mould from our forests can be composted and its Nitrogen content improved. Another question under our active consideration is how to make larger use of our town refuse as manure, the feasibility of which has been demonstrated by the experiments carried out at the Indian Institute of Science at Bangalore . . .

Maulana Zafar Ali Khan: Why do you not include in this, fish manure and mineral manure?

The Honourable Sir Jogendra Singh: Everything is included. Lakhs of tons of manure are available from this source. These measures, especially the latter, will be of permanent benefit to India's agriculture. There is also great scope for the development of other sources of food, such as milk, fish and eggs. England, with its rich and varied peace-time diet, consumes 40·7 ounces of milk per head, whereas in India the consumption of milk and milk products is 10·4 ounces only. I hope to do something permanent for animal husbandry also by spreading modern knowledge and methods of feeding and breeding.

In short, finance, water-supply and security are the primary factors of agricultural advance and rural happiness,—just as low and widely fluctuating prices are a factor detrimental to a sound agricultural economy. It must never be forgotten that agriculture is our major industry and an efficient agricultural industry is essential to the well-being of our people, both rural and urban. If agriculture can attain a satisfactory economic level, leading to a reasonably prosperous rural life, it will provide expanding markets for the development of trade and industry of every kind. My own feeling is that agriculture will be unable to rise above its present low level without an assurance of stable conditions from now onwards, for at least five years, so that producers can be enabled to see sufficiently far ahead to plan on the basis of the continuity of a well-defined agricultural policy.

Let us take these three requirements in turn and see what the prospects are and whether they can be improved. First, the agriculturist needs money for his agricultural operations, and particularly for the purchase of manure. There is another—and an important—aspect on the financial side, namely, rural indebtedness. Many, perhaps most, cultivators in India labour under a heavy load of debt. Almost every province has legislated to provide for the scaling down of agricultural debt but the volume of indebtedness shows no sign of any substantial decrease. The present rise in prices—which means (and this is important) that the cultivator has to devote so much less of his produce to meet his rent or revenue liabilities which are fixed in terms of money, should give

the cultivator for so long as it lasts, a golden opportunity to put himself financially on his feet—provided (and it is an important proviso) his expenses which are not fixed in terms of money—his clothing, fuel, lighting, obligatory social and religious ceremonies—do not also cost him so much more as to put him relatively on a worse footing than before prices began to rise. This involves seeing that prices of food grains are not forced down out of parity with the other elements that go to make up the cost of living. This is a big matter in which I am keenly interested but on which I am not in a position to make any pronouncement as the fixing of prices is not primarily the concern of my Department.

The cultivator's second need is an assured water supply, if he is not to continue to practise his calling as a kind of gamble on the rains. Under the head water-supply I would include not only the provision of irrigation facilities through wells, tanks, canals, etc., but the preservation of water in fields by the construction of embankments and bunds, and the prevention of flooding, water-logging and erosion. Much has already been done in the way of big scale irrigation projects in the Punjab, the U. P., Sind and Madras. Much can probably still be done even in war time on smaller projects. Mr. Lawson will be glad to know that we have, within the last ten days, offered the provinces, at the expense of the Central Government, the services of an expert in irrigation to help them to put into effect schemes of this kind which have hitherto been pigeon-holed for lack of funds.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): Who is this expert?

The Honourable Sir Jogendra Singh: Sir William Stamp. This offer, if accepted, should result in benefits which will long outlast the war.

Sir F. E. James: Please don't pigeon-hole his report.

The Honourable Sir Jogendra Singh: So long as I am here, it will not be pigeon-holed.

Finally, the cultivator needs security. Security of tenure is reasonably well assured by existing legislation. The principal security problem—and in many ways it is the crux of the whole problem—is that of prices for agricultural produce,—to ensure for the cultivator some level (in relation to the general cost of living) below which prices will not be allowed to fall in peace time—something perhaps on the lines of the “ever-normal granary” proposal which has received so much attention in the U. S. A. and in England. Under such a system, a surplus over normal would be stored against the eventuality of a lean year and prices would thereby be maintained in a bumper year (by the taking of as much as was necessary off the market for storage) and would be kept down in years of shortage. My point is that it is little use giving the cultivator improved seed cheap manure and plentiful water if, when a bumper crop matures, he has to sell his crop at a price which leaves him with less margin to meet his own purchases than he enjoyed before.

It is planning ahead on lines like these that I think my friends of the European Group wish to see undertaken. While I agree with them as to the need, I hope they will not under-estimate the difficulties. Crop planning in the conditions obtaining at the moment is not very difficult as so many of the factors are known or calculable. For example, we know that we have to feed ourselves, with next to no help from outside, while, even if we have a surplus, we shall be unable to export very much of it for lack of shipping facilities. We know also that, merely to feed ourselves, we can safely afford to go “all out” for maximum production of food crops to that end. Even so, the matter is not entirely free from difficulty. In the *kharif* we succeeded in increasing the acreage under food crops by 8 million acres, largely by replacing short-staple cotton by food crops. We are now faced with the problem how to retain this area under food crops without making the producers feel that they have been losers by the diversion. A comparison of current prices of short-staple cotton and the alternative food crops will eloquently explain my meaning.

[Sir Jogendra Singh.]

Crop planning for the post-war period raises more difficult problems still. What world conditions are we planning to meet? What is to be our attitude as regards Burma rice or Australian wheat? Can we say now—ought we to say now—that we wish to be self-sufficient and not to import these in future?

These are all large matters of policy on which the House will not expect me to make any pronouncement. I can only say that they are very prominent in my mind. They are problems of what, after the last war, we used to call "Reconstruction". On this subject I can assure the House,—and this, I think, is what the House wishes to be assured of . . .

Mr. President (The Honourable Sir Abdur Rahim). The Honourable Member's time is up.

The Honourable Sir Jogendra Singh: Just two minutes, Sir. What the House wishes to be assured of is that reconstruction problems are already much to the fore. Government have no intention of waiting till the war is over to mature their reconstruction plans. To do so would be to risk "winning the war but losing the peace". On some subjects progress has already been made. The setting up of a reconstruction committee dealing specifically with agriculture and agricultural policy cannot but be among the steps to be taken. The debate has afforded an opportunity for the expression of views and suggestions to which due regard will be paid. Personally I welcome this debate on a subject which is very near my heart. The European Group have done a great service in bringing the matter prominently before the House. The subject matter of the debate vitally affects more than four-fifths of our population which is directly dependent on agriculture for a living. This alone is a measure of the importance of the subject. Government are in full sympathy with the object of the motion and I can assure the House that the suggestions made today will receive my closest attention. I am confident that in the circumstances the mover will agree that his object has been served and that he will withdraw the motion.

Maulvi Muhammad Abdul Ghani: May I ask the Honourable Member if he will ask the Bihar Government to adopt the same legislation regarding consolidation of holdings as is prevalent in his own province of Punjab?

The Honourable Sir Jogendra Singh: I can draw their attention.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions; Muhammadan Rural): Sir, I have listened with great attention to what the Government have said in reply and the speeches that have been made on the floor of the House today, especially from the European Group. This is the first time in the life of this Assembly that the European Group has taken such keen interest in the agriculturist of India. Having travelled long and wide distances in this country in connection with the Committee on Co-operation, I know very well the conditions prevailing all over India. My Honourable friend, Mr. Lalchand Navalrai, when he was speaking, showed that he knew something about co-operative societies. He said that a zamindar, if he wants money, simply drags his poor tenants and brings them to the Central Bank or co-operative society and there he forms a society but when the time comes for the repayment of loans, he runs away. My friend has shown colossal ignorance of the working of the co-operative banks. I have experience of the whole of India, including Burma. The position is that if a zamindar wants money he will very seldom join with his tenants and borrow money from the co-operative bank, inasmuch as under the co-operative society's rules and regulations, the first condition is one of joint responsibility. When it is a case of joint responsibility, how can my friend say that a zamindar would absolve himself of all responsibilities and duties.

Mr. Lalchand Navalrai: Is it joint everywhere? It is not so.

Mr. Muhammad Azhar Ali: Read the Act. You have not read the Act.

The Honourable Sir Jogendra Singh: It is joint responsibility.

Mr. Lalchand Navalrai: In practice it is not so.

Mr. Muhammad Azhar Ali: If you enter as a member of a co-operative bank, you cannot break the rules and regulations. So, this proposition of my friend that a zamindar leaves his tenants when he joins the co-operative bank and that the tenants suffer is not correct. The case is quite otherwise. If a zamindar joins a co-operative society, the Central Bank generally saddles the zamindar with all the debts and the zamindar has to pay and liquidate all the debts of his tenants.

Mr. Lalchand Navarai: Come one day to Sind and see for yourself.

Mr. Muhammad Azhar Ali: In Burma, the co-operative societies flourished to an extent that we did not dream of in India and the reason was that the Europeans living in Burma and even people in England came to the help of the co-operative banks in Burma, just as in the Punjab, co-operation has succeeded because our banker friends in the Punjab have done a lot for the co-operative working in the Punjab and, therefore, today we find that the co-operative banks in the Punjab are in a flourishing condition. I do not allege that in all the provinces co-operative banks are in a flourishing condition. Some of them are in a moribund condition and some are decaying. The reason is that the Local Governments have not been able to institute Provincial Banks to help the cultivators of their own provinces. If the Government or the European Group want to improve the condition of the cultivators they ought to come forward to provide money lavishly for the benefit of the cultivator. My friends of the European Group have suggested that the profits of the sterling loan should be divided between the industrialists and the cultivators. I welcome that suggestion. The Government may give money as a sort of subsidy, as my friend, Mr. Abdul Ghani, has said but what you give with your right hand you take away with your left hand. What do we find in every province today? The cultivator is taxed for war subscriptions. If you ask your poor naked tenants for subscriptions to your aircraft, your war loans, your parachutes and other war arrangements, how can you expect the cultivator to flourish. I want to say to the Government plainly that this collection of subscriptions for war are harassing the tenants everywhere, in every tahsil and every sub-division. These cultivators for whom you profess such lip sympathy will never flourish, unless and until, you see the conditions for yourself in the villages. You must see how they live, in what way they cultivate. The suggestion has been made that one method of improving his condition is to provide him with water for irrigation. We have got canals in the U. P. We have got canals in the Punjab but the taxes you levy are simply crushing the cultivators and killing them. Canal dues are prohibitive and badly realized. The only way to help the cultivators is for the Government and the European Group to find the money to help them. You should not take away with the left hand what you give with the right hand.

The cut motion is to the effect that we should discuss the means for the improvement of the condition of the cultivator. How can you do it? I would refer to the sad spectacle that you see in every Province today. If you go to the law courts, you will see the condition of the cultivator. Every law court, every small cause court, is full of cases between the *baniya* and the cultivator. The *baniya* forges pro-notes and advances money to the cultivator. He goes to the fields and gives the cultivator 20 or 30 rupees and jots it down in his note book that he gave the money on such and such date and at such and such rate. This pamphlet is the only evidence sometimes in the courts against the cultivators and decrees are passed on the strength of this evidence. The cultivator has no means of disputing this evidence. The decree is passed and what happens? The next day, the *baniya* takes the decree in his hand and goes to the cultivator's village with two chaprasis of the tahsil and robs the cultivator of his whole assets. Even the standing crop is taken away. Thus villages and villages are looted.

Sir, these are the facts which we have to look into. It is not enough to say what we should do and what we should not do. You should look into the facts

[Mr. Muhammad Azhar Ali.]

like a sympathetic man and then you will realise how the cultivator is suffering in India. You say you must provide him with good seed. But does the cultivator get good seed? No, he does not. He has to approach the Agriculture Department and my Indian friends can very well realise what process a man has to adopt when he approaches Government Departments. He knows how to get money; he knows how to get seed; he knows how to get help from anybody and everybody, but to repay them is his difficulty. Then other difficulties are in the way of the cultivator. It is not an easy job that we can here today say that if we do this or that for the cultivator, he will have money. You may have schemes but those schemes should be practical and ought to be considered in the light of the true perspective and not in the light that the industrialist should get so much money and so much money should be given to the cultivator. I am sure Government will not agree to this proposal of the European Group. Therefore, I know that the cultivator will get nothing. It is only lip sympathy that has been shown to him. Still, because the European Group has taken up this subject, I am glad that the Government has promised to do something for the poor cultivator and I shall wait to see, if I live, what the Government does for the poor cultivator of India.

Mr. Jamnadas M. Mehta (Bombay Central Division: Non-Muhammadan Rural): Sir, the cut motion bases a very ambitious programme on a somewhat elusive prosperity of the cultivator. My Honourable friends of the European Group want the permanent rehabilitation of agriculture on a partial and somewhat elusive prosperity of the war period. I, therefore, very respectfully ask them to be careful that they do not ride for a fall. The assumption that today the agriculturist is prosperous is somewhat an exaggerated one. Perhaps my Honourable European friends do not know that nearly 540 lakhs of tillers of the land are landless labourers. Therefore, there can obviously be no agricultural prosperity for them except such wages as they get which often do not exceed two annas a day or even less or food, clothing and shelter given by the peasant proprietor who employs them. These people have got no prospects of a prosperity and unless this large section is absorbed in some kind of rapid industrialisation, the rehabilitation of agriculture will remain a dream. The fact that 80 per cent. of the population of this country depend for their living on agriculture is not a matter on which we have to congratulate ourselves but it is a matter on which we have to condole with ourselves that this large percentage still continues to be a pressure on land as they have done for so many years. Next to that is the very large fragmentation of holdings which makes the lot of peasant proprietors no better than that of landless labourers. I do not know what the condition in all parts of India is but I can confidently say about my province of Bombay that the fragmentation has reached the limit beyond which it cannot possibly go and even today it has reached the disastrous limit. Our Government have tried to remedy this situation and they have met with little success. Therefore, after you have eliminated the landless labourer who remains to be provided for in the scheme of my European friends, they are next to meet this unheard of sub-fragmentation which practically makes the holding uneconomic. What the three lakhs of the mill hands and other workers in Bombay earn in mills they pay by way of land revenue for their fragmented holdings. Even today it is a wrong assumption to say that they are prosperous because as against such higher price that they may be getting the market rate is not what they get. The Ralli Brothers, the Volkart Brothers, Sasoon and Company and all the fraternity of the wholesale purchasers are in the field long before the man even knows that the market has risen. And they buy him out. His needs are so great that he agrees to be bought out. He has to pay for the house; he has to pay even to the co-operative societies; he has to pay to the Government; he has to pay for his salt, for his kerosene oil, for the little rags that he gives

his children and for an occasional wedding or funeral among his family members. Besides, the prices of these articles have risen much more than the prices of agricultural commodities. Therefore, let there be no delusion that amongst the large class of agriculturists this war time prosperity even exists. The prosperity, where it may exist, can reasonably be supposed to rest amongst large landed proprietors who are not addicted to modern vices but who live their old time methods of conventional existence. These people have got some money. But the landlords who come to Calcutta must be ruined men and in my province, at any rate, there are not many large land-holders. Amongst the Sindhi landlords, all that I heard from late Mr. Bhurgari, who was a landlord himself, was that their lot was not over-happy; that they were sufficiently oppressive on the tenant and they were sufficiently under the thumb of the money-lender. That was his version some years ago; I do not know if they are better off now. Therefore, this idea that any substantial section of the agriculturist community today is prosperous is wrong. Even if it is partially true, then this prosperity is for a year or two. On that, if you want to build any large scheme of rehabilitation, you are likely to be disappointed. Then I heard of agriculturist being weaned from some supposed traditional vices or evil habits which have become the stock-in-trade of the most ignorant people. What is it that the agriculturist wastes his money on? There are people who talk of the extravagance of the agriculturist, of his supposed idleness for four months or six months in the year. Do they know whether that is a fact? There is a proverb in the vernacular that the peasant is never unemployed. In the busy season he is either sowing or reaping or weeding or harvesting and then marketing. When that season is over, he has to prepare for the next season. In between he has to arrange for his bullocks and other implements of agriculture. So, there is no time in the year when the agriculturist is lazy. This superstition of the agriculturist being idle for six months is a calculated propaganda and has no foundation in fact.

Mr. C. P. Lawson: Who said all this?

Mr. Jamnadas M. Mehta: You said that the cultivator was wasteful.

Mr. C. P. Lawson: I am sorry to interrupt the Honourable Member, but I never said that he was wasteful. What my Honourable friend, Mr. Gray, said, was that on deaths and marriages he incurs very heavy expenditure in ceremonial; expenditure more heavy than he should be called upon to bear.

Mr. Jamnadas M. Mehta: I am going to say that is a superstition and it is a belief calculated to mislead people. What is an agriculturist? Is he a human being or not? Has he any human rights or not? If a child is born, can he eat some sweets or not? What is intended by that which you call extravagance? What has he to do when a marriage takes place? What was described by Sir Pheroz Shah Mehta in 1904, is as true today, as it was then. The so-called extravagance of weddings consists of rice and little *gur* and some ghee, if there is any—an infinitesimal amount. That is all about extravagance. At the time of marriage or wedding has he no right to offer some sweets to his guests. You have a right to attend races all the year round, and this poor man, if he has got some little family ceremony, you envy him and you call him extravagant. After all he does nothing, he is the most simple man with simple mode of living that we find in India. The remedy is not to blame him or deny him a little simple enjoyment and call him extravagant. You will not be able to improve the conditions of agriculturist unless you first of all divest yourself of the superstition under which you are labouring about the agriculturists. They are the most hardworked lot. They rarely get any joy out of life. Thank God, they are very religious. They reconcile themselves to any condition. They do not blame you. You might know of their fate if you examine the land revenue system of the Government. This has been described as the highest burden on the agriculturists. I do not find that the Honourable

[Mr. Jamnadas M. Mehta.]

the Mover of this cut motion has given any suggestions that the land revenue burden should be reduced. In a way in the Taxation Enquiry Committee this question was particularly excluded from the purview of that Committee. Government are so conscious of the skeleton in the cupboard that they have never charged any Committee with the question of examining the land revenue system. Therefore, I wish to say to him, first you know the problem. And that problem is even today in the war time when prosperity has come to some extent, no doubt, to a certain section of the community, but undoubtedly a large bulk of the agriculturists are still dwelling in poverty and destitution.

I agree with your electricity scheme. I agree with my Honourable friend, Sir Frederick James, that many Provincial Governments have got irrigation schemes which have been shelved for want of money for a number of years, and that they should be put into effect. To that extent I am absolutely wholeheartedly at one with that suggestion. In my own Province, for a short time it was my privilege to be Revenue Minister, and during that period I got out all those shelved documents to which my Honourable friend referred. I did my little bit in that respect. Sir, I agree 100 per cent. with my friends of the European Group, but they must also realise the sad plight of the poor agriculturist. I might tell them that rapid industrialisation of the country is one of the first essentials for improving the conditions of a large section of the community which today is very hard pressed. They must realise that for rehabilitation of agriculture in India rapid industrialisation is absolutely necessary. Sir, I think, if you really want to rehabilitate agriculture in this country, the first and foremost thing for you is to assure that in normal peace time the agriculturist gets the wages of his labour. What are wages for the industrial worker are prices to the agriculturist. But they know very well that wages of an agriculturist are even one anna or two annas as against six or seven annas or more of the lowest paid industrial worker. I say the problem is primarily the removal of indebtedness in every province. That indebtedness is very great. The Honourable the Mover of this motion read out a quotation from the Report of the Agricultural Commission which is still true today as it was in 1927 when the Agricultural Commission sat

Mr. President (The Honourable Sir Abdur Rahim) The Honourable Member's time is up.

Mr. Jamnadas M. Mehta: Therefore, I say, remove first of all this indebtedness. It will pay the Government and it will pay the country, if it is taken over by the State, and debentures are issued to the creditors at four per cent. or three per cent. bond for the proved and adjusted amount. What amount of saving in interest it will mean can be counted by crores.

Now, Sir, I cannot agree with the Honourable Member in charge of the Department that the co-operative movement has been a success in my province. There the peasant is unable to pay even the interest on his loans. Interest is in arrears and repayment of loans is also very much in arrears. Co-operative societies are very often considered worse than *sahukars*. Therefore, Sir, as I understand the problem, remove indebtedness and rent, tax burden, give the agriculturist in peace time normal prices for his produce, then we can safely pass on to the method of industrialisation and rehabilitation of agriculture in India.

Mr. Ananga Mohan Dam (Surma Valley *cum* Shillong: Non-Muhammadan): Mr. President, my Honourable friend, Mr. Lawson, has brought before this House a very good suggestion for the improvement of agriculture. The question has been discussed threadbare in this House. All those problems and implications which were considered by the Royal Commission on Agriculture have been considered by this House. The Honourable Member in charge in giving a reply showed his sympathy towards the objects of this motion. Sir, I want to point

out that the financial problem is the most acute problem with regard to agriculture. The cultivator in India is willing to take advantage of the opportunities presented to him, by science, wise laws and good administration. But he is economically unfit to take advantage of these. Viewed from this angle of vision, poverty is the only political problem of India. Sir, these people cannot buy their plough cattle. There are many agriculturists who are sitting idle, because it is not possible for them to buy one ordinary bullock which cost Rs. 40 or Rs. 50 not to speak of better breeds.

I wholeheartedly support the suggestion of my friend, Mr. Mehta, that rapid industrialisation of the country should be seriously considered because that step will reduce the pressure on lands and the poverty problem of the rural people will be solved to a large extent by this method. But still there are those who will be left to agriculture and their financial problem ought to be solved by the Government. The thing is that these poor people cannot improve their own lot, they cannot improve their conditions. Every condition favourable for their improvement should be created by the Government themselves. All the resources of the State should be brought to bear on the problem of rural uplift. It must be said to the discredit of the Central and the Provincial Governments that the conclusions reached by the Royal Commission on Agriculture and their recommendations were not given effect to by any of the Governments, Central or Provincial. It was in 1928 that the Royal Commission worked, and now we are in 1943, still the results of the Commission have not reached the poor cultivators and poor villagers. The duty of the Government is to make the results of its labours available to the villagers. The expert conclusions reached by the Commission should be brought to the door of the cultivators, so that agriculture might improve.

I shall not take up much of the time of the House in dilating on this subject and on the different processes. I shall refer to one point which has not been touched upon by any of the Honourable Members or the Honourable Member in charge of Education, Health and Lands. Agricultural banks should be established throughout the country. The Reserve Bank has not been able so far to help the formation or promotion of these Banks. The Reserve Bank must now be able to help the establishment of these Banks with the help of the accumulated sterling surplus lying idle in England. My Honourable friend, Sir F. E. James, suggested the utilisation of sterling balances for the improvement of agriculture and I wholeheartedly approve that suggestion. This is the only way in which agricultural banks could be established with Government help throughout India, in every Province in every district and in every sub-division and in every village. If we can utilise the sterling reserves lying idle in England for the establishment of agricultural banks throughout the country, it will be a noble thing done for the good of our people. With these words, I support the motion of my Honourable friend, Mr. Lawson.

Dr. Sir Zia Uddin Ahmad: Sir, I should like to ask the Honourable Member in charge, if he is in a position to do so, to answer one or two questions which I will put to him. Has he examined the possibility of importing Australian wheat in 1943-44 and if so, what quantity and at what price? If it is possible to answer, he may do so now, or he may answer later on. About the import of rice from Burma, I shall not touch upon that, because it is a problematical proposition and India is not in a position to say anything about it. But as regards import of wheat from Australia, that is an important question. If we make our allotment for 1943-44, then this fact will have to be taken into consideration.

The next point to which I should like to draw attention is that while the Provincial Governments have legislated to safeguard the interests of the tenants against landlords, they have taken no action whatsoever, so far as I am aware, to safeguard the interests of the village tenants against *sahukars* and *baniyas*.

[Dr. Sir Zia Uddin Ahmad.]

When I put a question on this, I was told that this practice of money lending has been going on from time immemorial and, therefore, there was no reason why the Government should intervene now. In this argument, the Government forget one factor, which is important, that from time immemorial, once in every fifty years, there used to occur revolutions when the books of the *baniyas* were destroyed. They all started on a clean slate. We have no such possibility now in this country. We have been living for a long time past in peace and no factor has arisen to disturb the peace and bring about the destruction of the *baniya's* account books. Some method ought to be devised to protect these villagers against the ravages of the *baniyas*, against the moneylending class. This is really the greatest problem and so far no province has taken any action in this direction. They did not dare to take any action. Some persons were thinking on these lines, but they could not secure proper votes for legislating on this point. The Provincial Governments have always been weak and no action was taken by them. If the Central Government is bold enough to take some action on these lines and safeguard the interest of these tenants against the moneylending class, then and then alone there is some possibility of having some little comfort in the family of the poor tenant. These are some of the points to which I want to draw the attention of the Honourable Member in Charge of the Department and I want him to consider these points.

Mr. O. P. Lawson: Sir, I beg leave to withdraw my motion.

The motion was, by leave of the Assembly, withdrawn

Mr. President (The Honourable Sir Abdur Rahim): There are only five minutes left and no further cut motions can be taken up now.

In putting the remaining Demands to the vote of the House, I propose not to repeat the words "to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944", which occur in each of the 82 Demands. In this way unnecessary repetition will be avoided and much time will be saved. Honourable Members know quite well that the votes on these Demands are required for the financial year ending on the 31st March, 1944. In the proceedings, however, each question put by me will be recorded in its present form, *that is*, including the words which I have considered unnecessary to read out each time.

DEMAND No. 1—CUSTOMS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 79,39,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Customs'."

The motion was adopted.

DEMAND No. 2—CENTRAL EXCISE DUTIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 11,50,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Central Excise Duties'."

The motion was adopted.

DEMAND No. 3—TAXES ON INCOME INCLUDING CORPORATION TAX.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 91,46,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Taxes on Income including Corporation Tax'."

The motion was adopted.

DEMAND No. 4—SALT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 79,39,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Salt'."

The motion was adopted.

DEMAND No. 5—OPIUM.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 99,70,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Opium'."

The motion was adopted.

DEMAND No. 6—PROVINCIAL EXCISE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,84,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Provincial Excise'."

The motion was adopted.

DEMAND No. 7—STAMPS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 28,53,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Stamps'."

The motion was adopted.

DEMAND No. 8—FOREST.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 9,09,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Forest'."

The motion was adopted.

DEMAND No. 9—IRRIGATION (INCLUDING WORKING EXPENSES), NAVIGATION, EMBANKMENT AND DRAINAGE WORKS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,89,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works'."

The motion was adopted.

DEMAND No. 10—INDIAN POSTS AND TELEGRAPHS DEPARTMENT (INCLUDING WORKING EXPENSES).

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 12,55,33,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Indian Posts and Telegraphs Department (including Working Expenses)'."

The motion was adopted.

DEMAND No. 11—INTEREST ON DEBT AND OTHER OBLIGATIONS AND REDUCTION OR AVOIDANCE OF DEBT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 71,99,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Interest on Debt and Other Obligations and Reduction or Avoidance of Debt'."

The motion was adopted.

DEMAND No. 12—EXECUTIVE COUNCIL.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,36,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Executive Council'."

The motion was adopted.

DEMAND No. 13—COUNCIL OF STATE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,15,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Council of State'."

The motion was adopted.

**DEMAND No. 14—LEGISLATIVE ASSEMBLY AND LEGISLATIVE ASSEMBLY
DEPARTMENT.**

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 6,47,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Legislative Assembly and Legislative Assembly Department'."

The motion was adopted.

DEMAND No. 16—CIVIL DEFENCE DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 4,35,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Civil Defence Department'."

The motion was adopted.

DEMAND No. 17—DEPARTMENT OF INFORMATION AND BROADCASTING.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 14,39,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Department of Information and Broadcasting'."

The motion was adopted.

DEMAND No. 18—LEGISLATIVE DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 4,78,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March 1944, in respect of 'Legislative Department'."

The motion was adopted.

DEMAND No. 19—DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 6,28,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Department of Education, Health and Lands'."

The motion was adopted.

DEMAND No. 20—DEPARTMENT OF INDIANS OVERSEAS.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 1,84,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Department of Indians Overseas'."

The motion was adopted.

DEMAND No. 21—FINANCE DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 5,46,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March 1944, in respect of 'Finance Department'."

The motion was adopted.

DEMAND No. 22—COMMERCE DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 12,16,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Commerce Department'."

The motion was adopted.

DEMAND No. 23—DEPARTMENT OF LABOUR.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 11,84,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Department of Labour'."

The motion was adopted.

DEMAND No. 24—DEPARTMENT OF POSTS AND AIR.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 1,13,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Department of Posts and Air'."

The motion was adopted.

DEMAND No. 25—WAR TRANSPORT DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 3,54,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'War Transport Department'." The motion was adopted.

DEMAND No. 26—FOOD DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 20,81,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Food Department'." The motion was adopted.

DEMAND No. 27—CENTRAL BOARD OF REVENUE

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 7,23,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Central Board of Revenue'." The motion was adopted.

DEMAND No. 28—INDIA OFFICE AND HIGH COMMISSIONER'S ESTABLISHMENT CHARGES.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 18,95,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'India Office and High Commissioner's Establishment Charges'." The motion was adopted.

DEMAND No. 29—PAYMENTS TO OTHER GOVERNMENTS, DEPARTMENTS, ETC., ON ACCOUNT OF THE ADMINISTRATION OF AGENCY SUBJECTS AND MANAGEMENT OF TREASURIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 1,06,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Payments to other Governments, Departments, etc., on account of the Administration of Agency Subjects and Management of Treasuries'." The motion was adopted.

DEMAND No. 30—AUDIT.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 89,81,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Audit'." The motion was adopted.

DEMAND No. 31—ADMINISTRATION OF JUSTICE.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 57,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Administration of Justice'." The motion was adopted.

DEMAND No. 32—JAILS AND CONVICT SETTLEMENTS.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 2,06,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Jails and Convict Settlements'." The motion was adopted.

DEMAND No. 33—POLICE.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That a sum not exceeding Rs. 1,63,10,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Police'." The motion was adopted.

DEMAND No. 84—PORTS AND PILOTAGE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 18,25,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Ports and Pilotage'."

The motion was adopted.

DEMAND No. 85—LIGHTHOUSES AND LIGHTSHIPS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 8,24,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Lighthouses and Lightships'."

The motion was adopted.

DEMAND No. 36—SURVEY OF INDIA.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 16,55,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Survey of India'."

The motion was adopted.

DEMAND No. 37—BOTANICAL SURVEY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 74,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Botanical Survey'."

The motion was adopted.

DEMAND No. 38—ZOOLOGICAL SURVEY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,16,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Zoological Survey'."

The motion was adopted.

DEMAND No. 39—GEOLOGICAL SURVEY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 41,11,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Geological Survey'."

The motion was adopted.

DEMAND No. 40—MINES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,71,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Mines'."

The motion was adopted.

DEMAND No. 41—ARCHAEOLOGY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 11,09,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Archæology'."

The motion was adopted.

DEMAND No. 42—METEOROLOGY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 26,24,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Meteorology'."

The motion was adopted.

DEMAND No. 43—OTHER SCIENTIFIC DEPARTMENTS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 5,32,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Other Scientific Departments'."

The motion was adopted.

DEMAND No. 44—EDUCATION.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 12,22,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Education'."

The motion was adopted.

DEMAND No. 45—MEDICAL SERVICES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 12,79,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Medical Services'."

The motion was adopted.

DEMAND No. 46—PUBLIC HEALTH.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 13,09,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Public Health'."

The motion was adopted.

DEMAND No. 47—AGRICULTURE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 26,72,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Agriculture'."

The motion was adopted.

DEMAND No. 48—IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 3,39,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Imperial Council of Agricultural Research'."

The motion was adopted.

DEMAND No. 49—AGRICULTURAL MARKETING.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,43,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Agricultural Marketing'."

The motion was adopted.

DEMAND No. 50—IMPERIAL INSTITUTE OF SUGAR TECHNOLOGY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Imperial Institute of Sugar Technology'."

The motion was adopted.

DEMAND No. 51—CIVIL VETERINARY SERVICES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 10,47,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Civil Veterinary Services'."

The motion was adopted.

DEMAND No. 52—INDUSTRIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 9,38,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Industries'."

The motion was adopted.

DEMAND No. 53—SCIENTIFIC AND INDUSTRIAL RESEARCH.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 13,49,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Scientific and Industrial Research'."

The motion was adopted.

592

DEMAND No. 54—AVIATION.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,04,48,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Aviation'."

The motion was adopted.

DEMAND No. 55—CAPITAL OUTLAY ON CIVIL AVIATION CHARGED TO REVENUE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Capital Outlay on Civil Aviation charged to Revenue'."

The motion was adopted.

DEMAND No. 56—BROADCASTING.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 59,64,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Broadcasting'."

The motion was adopted.

DEMAND No. 57—CAPITAL OUTLAY ON BROADCASTING CHARGED TO REVENUE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Capital Outlay on Broadcasting charged to Revenue'."

The motion was adopted.

DEMAND No. 58—EMIGRATION—INTERNAL.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 16,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Emigration—Internal'."

The motion was adopted.

DEMAND No. 59—EMIGRATION—EXTERNAL.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,89,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Emigration—External'."

The motion was adopted.

DEMAND No. 60—COMMERCIAL INTELLIGENCE AND STATISTICS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 8,96,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Commercial Intelligence and Statistics'."

The motion was adopted.

DEMAND No. 61—CENSUS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Census'."

The motion was adopted.

DEMAND No. 62—JOINT-STOCK COMPANIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,92,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Joint-Stock Companies'."

The motion was adopted.

DEMAND No. 63—IMPERIAL DAIRY DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,91,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Imperial Dairy Department'."

The motion was adopted.

DEMAND No. 64—MISCELLANEOUS DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 10,90,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Miscellaneous Department'."

The motion was adopted.

DEMAND No. 65—CURRENCY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 60,83,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Currency'."

The motion was adopted.

DEMAND No. 66—MINT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 91,33,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Mint'."

The motion was adopted.

DEMAND No. 67—CIVIL WORKS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 70,84,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Civil Works'."

The motion was adopted.

DEMAND No. 68—CENTRAL ROAD FUND.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,70,00,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Central Road Fund'."

The motion was adopted.

DEMAND No. 69—SUPERANNUATION ALLOWANCES AND PENSIONS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,20,44,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Superannuation Allowances and Pensions'."

The motion was adopted.

DEMAND No. 70—STATIONERY AND PRINTING.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,46,72,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Stationery and Printing'."

The motion was adopted.

DEMAND No. 71—MISCELLANEOUS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 15,21,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Miscellaneous'."

The motion was adopted.

DEMAND No. 72—MISCELLANEOUS ADJUSTMENTS BETWEEN THE CENTRAL AND PROVINCIAL GOVERNMENTS

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 94,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Miscellaneous Adjustments between the Central and Provincial Governments'."

The motion was adopted.

DEMAND No. 73—CIVIL DEFENCE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,16,39,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Civil Defence'."

The motion was adopted.

DEMAND No. 74—DELHI.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 94,99,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Delhi'."

The motion was adopted.

DEMAND No. 75—AJMER-MERWARA.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 31,06,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Ajmer-Merwara'."

The motion was adopted.

DEMAND No. 76—PANTH PIPLODA.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 14,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Panth Piploda'."

The motion was adopted.

DEMAND No. 77—INDIAN POSTS AND TELEGRAPHS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 3,10,08,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Indian Posts and Telegraphs'."

The motion was adopted.

DEMAND No. 78—INDIAN POSTS AND TELEGRAPHS—STORES SUSPENSE (NOT CHARGED TO REVENUE).

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 24,31,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Indian Posts and Telegraphs—Stores Suspense (not charged to Revenue)'."

The motion was adopted.

DEMAND No. 79—DELHI CAPITAL OUTLAY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 19,48,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Delhi Capital Outlay'."

The motion was adopted.

DEMAND No. 80—COMMUTED VALUE OF PENSIONS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Commuted Value of Pensions'."

The motion was adopted.

DEMAND No. 81—INTEREST-FREE ADVANCES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,76,50,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Interest-Free Advances'."

The motion was adopted.

DEMAND No. 82—LOANS AND ADVANCES BEARING INTEREST.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 3,62,93,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1944, in respect of 'Loans and Advances bearing Interests'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 11th March, 1943.

लाल बहादुर शास्त्री राष्ट्रीय प्रशासन अकादमी, पुस्तकालय
Lal Bahadur Shastri National Academy of Administration, Library

मसुरी
MUSSOORIE.

यह पुस्तक निम्नांकित तारीख तक वापिस करनी है ।

This book is to be returned on the date last stamped.

[illegible]

